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LEONARD COX

THE ARTE OR
CRAFTE OF RHETHORYKE

A REPRINT

EDITED

WITH AN INTRODUCTION, NOTES, AND GLOSSARIAL INDEX

BY

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PREFACE.

THE object of this number of the English Studies of the University of Chicago is to make accessible in a literal reprint the first Rhetoric printed in the English language. The work here reproduced is one of the earliest English schoolbooks and is significant for the history of English prose in the first half of the sixteenth century. It is moreover a work connected in many interesting ways with the humanistic movement and the revival of learning in England, and with Erasmus, Melanchthon, and their associates. In the Introduction I have endeavored to arrange and present all the important material available for the elucidation of the life and work of Cox, himself one of this circle. Much of this material apparently has been hitherto overlooked or insufficiently considered, but I have studied to present it without comment so far as possible. I regret that several points still remain in doubt and that I have been unable to discover and consult several works ascribed to Cox and here listed in the Bibliography of his Works.

The digest of Melanchthon, Cox's principal source, by Moselmanus, is here given, inasmuch as the correspondence between the works of Cox and Melanchthon is so close that this digest serves equally well as an analytical table of contents for Cox. Later on the source in full in Melanchthon, so far as used by Cox, also is reprinted. The reprint of Cox's own text follows the undated first edition (A) of circa 1530, usually assigned by bibliographers to 1524. Corrections and variant readings from the edition of 1532 (B) are noted at the foot of the page; but a few corrections in punctuation introduced in B have been silently adopted. Contractions have been generally expanded and in all cases are indicated by italics.

I desire to express my especial obligations to Professor W. D. MacClintock of the University of Chicago, who first suggested the

present reprint. I am indebted for suggestions or for assistance received also to the authorities of the Library of the British Museum, and especially to Messrs. A. W. Pollard, R. Proctor, and Richard Garnett; to Mr. Henry R. Plomer, London; to Professor R. M. Werner of the University of Lemberg; to Professor C. H. Moore of Harvard University; and to Professors Paul Shorey and J. M. Manly and Dr. Karl Pietsch of the University of Chicago.

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INTRODUCTION.

The beginnings of English literary criticism in the sixteenth century have a curious interest. In them, scanty and halting as **The Beginnings of the Theory of English Prose.** they often are, we can trace the first expression of the literary self-consciousness which was awakening with the growth of the new literature and the new civilization of the Renaissance. In poetry it is long before there is a full statement of principles¹; in prose, an artistic form much later in reaching its full development than poetry, it is longer still. The theory of prose, during the entire century and even far beyond the century, clings to the traditions of oratory and the classifications and precepts of ancient rhetoric, as modified and interpreted by Mediæval and Renaissance thought. The first steps in the formation of modern English prose are strangely timid and groping. Strong practical needs drive men to seek the means of ordered and effective expression in the prose vernacular. But native models of expression are lacking. Hence there is a movement of education and a resort to foreign teaching and aid. All England is at school to foreign models.

It is in this way that the early English rhetorical treatises of the sixteenth century are of importance. They are documents in the **Interest and Value of Cox's Work.** history of English education as they are in English literary history. They did practical service in training men to ordered utterance, and at the same time they gave expression, at least in part, to the accepted theory of English prose.

The first of these treatises by a quarter-century, and in its way the most interesting, perhaps as much for what it lacks as for what it gives, is the little work by Leonard Cox on the *Arte or Crafte of Rhethoryke*, herewith reprinted for the first time.² It is characteristic of its period and highly interesting as one of the rather slender list of productions by that little band of humanists and reformers in letters, education, and religion, of whom Colet, Lilly, and More were the chief members in England.

¹ See Schelling's *Poetic and Verse Criticism of the Reign of Elizabeth*.

² The originals are excessively rare. I know of only two copies, that in the British Museum and that in the Bodleian Library.

I. THE AUTHOR AND HIS CAREER.

Cox himself, scholar, schoolmaster, and preacher in the reigns of Henry VIII and Edward VI, so far as we can reconstruct the story of his career from the confused and defective Annals of the *Life of Cox.* materials at our command, although playing a minor part, seems to have led a life typical of the times and interesting in its vicissitudes. Educated at both universities, traveling abroad and teaching in three or four of the foreign universities, translating from Erasmus, Melanchthon, and others, writing learned scholia and commentaries, Cox came into touch in one way or another with most of the great men of letters and of learning in his age, and counted among his friends such men as Erasmus, Melanchthon, Leland, Palsgrave, Bale, Faringdon, Toy the printer, and John Hales. He was in public employment, patronized by Cromwell, and pensioned off in a small way¹ among the other beneficiaries from the spoliation of the ancient religious foundations, and so finally became a preacher of the reformed religion under Edward VI and teacher in the grammar schools at Reading, and perhaps at Caerleon and Coventry. Cox thus witnessed and took his share in the two great movements of the first half of the century in England, that of the early Humanism, whose chief representatives were Erasmus and Colet, and that of the religious Reformation which at first was so intimately associated with the movement of Humanism.

Concerning the date of Cox's birth we know nothing. It must be placed before the opening of the sixteenth century, for as early as 1518 we find the learning of Cox already so well established as to secure for him the honor of delivering a Latin oration at Cracow in Poland.² It is probable that by this date Cox was teaching in the Academy at Cracow, where at any rate in 1524 we find him entered as full master.

Between these dates, however, he had traveled elsewhere and had been concerned with other matters, for in 1519 we find the following entry concerning him among the "Accounts at Tournay."³

¹ See *infra* p. 16.

² See entry of the title of this oration in list of Cox's works below, p. 18.

³ In *Letters and Papers, Foreign and Domestic, of the Reign of Henry VIII*, ed. J. S. Brewer (London 1867), Vol. III, No. 153 (24).

"Mem. A horse and money given to Leonard Cokks to convey stuff from Tournay to Antwerp . . . Money given to Leonard Cox, Shurland the jester and gunner, and to Matthew's brother at his going to school at Paris."

The next definite date in the life of Cox which I can discover is the publication in 1524 of his scholia, in Latin, on the Latin poem on Hunting by the Cardinal Adrian.¹ This work is dedicated by Cox to "Iodoco Ludovico Dedo serenissimo ac potentissimo Regi Poloniæ à Secretis. Mœcenati suo. S. D. P." and the dedication is dated "ex Gymnasio nostro Cassoviæ² IIII Calendas Maij. Anno à Natali Servatoris. M.D.XXIIII." The work was published at Cracow in June of the same year. On the title page the poem is described as accompanied with "Scholiis non ineruditis Leonardi Coxii Britanni." All these references can hardly apply to a young man less than twenty-four years of age.

Cox is said to have been the second son of Lawrence Cox of the city of Monmouth in Monmouthshire by Elizabeth Willey his wife, and the grandson of John Cox.³ Of his education before entering college we know nothing beyond Bale's general statement that "from his very childhood he was well instructed in liberal studies," nor do we know the date of his entering or of his receiving his degree at Cambridge, where it is stated that he was educated.⁴ It is probable, however, that he graduated before 1518, for without a university training, even in those days of precocious learning, he could hardly have occupied the position we find him holding in Poland in 1518 and again in 1524, and have published such work as he then did.

In 1524 at any rate Cox was abroad again, as we have seen. There he remained at least until 1527, since in 1526 we find him publishing another work in Cracow,⁵ his *Methodus Studiorum Humaniorum*, and in 1527 Erasmus is writing to him about affairs in Hungary.⁶

¹ See entry of the title below, p. 18. There is a copy in the British Museum.

² I. e., doubtless Caschau, or Kaschau, in Upper Hungary.

³ Cooper, *Ath. Cantab.* I, 94; Chalmers, *Biog. Dict.*; *Dict. Natl. Biog.*

⁴ Cooper, loc. cit.

⁵ Panzer, *Annales Typographici*. See *infra* p. 18.

⁶ See below, p. 11.

It therefore seems improbable that the first edition of his *Rhetoric*, published without date, but assigned definitely to 1524 by many bibliographers, could have appeared in that year, written as it is from his school in Reading.¹ Prob-
-Rhetoric. ably, however, somewhere between 1527 and 1530 Cox returned to England and was appointed master of the school at Reading² by Hugh Faringdon, the Abbot of the place. He was certainly in this position before³ February 1530, when he supplicated for incorporation and for M. A. at Oxford, "as being schoolmaster at Redyng."⁴

Again, it is impossible to assume with Hallam⁵ that Cox's *Rhetoric* was written in 1524 and that his *Methodus Humaniorum Studiorum* in 1526 is a translation of the *Rhetoric* into Latin, for the simple reason that the *Rhetoric* is itself in greater part a translation from a well-known Latin original into English, as I shall later have occasion to show, and there could be no reason for making another version in Latin by translating back from the English.

In May 1527, Erasmus, whose name we find mentioned several times in the course of the following *Rhetoric*, wrote to Cox, who Letter from was probably still at Casehau, a letter which has been Erasmus. preserved among the Epistles of Erasmus (*Erasmi Epistola*, Lugduni Batavorum 1706, 982 C., Epistola DCCCLXVI). The following synopsis of the letter is given in Brewer:⁶

¹ See Cox's dedication to his *Rhetoric*, *infra* p. 39.

² John Man, *History and Antiquities of Reading* (Reading, 1816), p. 196, says John Long was master of this school from 1503 to 1530, and was "succeeded in 1530 by Leonard Cox A. M."

³ Not "soon afterwards," as is stated in the D. N. B. and other biographies.

⁴ In Boase, *Register of the University of Oxford* (Oxford, 1885), Vol. I, p. 159, the entry stands: "Cox, Leonard, B.A. of Cambridge sup. 19 Feb. 15 88 for incorporation and for M.A. and for disp. as being schoolmaster at Redyng." See also Cox's verses in Palsgrave's *L'Esclarissement*, in 1530, *infra*, p. 20.

⁵ Hallam, *Literature of Europe*, Pt. I, ch. viii, at end. Followed by Jebb, article "Rhetoric" in *Encycl. Brit.*, 9th ed.

⁶ *Letters and Papers of the Reign of Henry VIII*, Vol. IV.

"Thanks him for his letters. Is sorry to hear of the ill-health of their friend Justus." His *Copia* has been again edited six months ago. Gives an account of a [disputed] reading in Aulus Gellius, when, twenty years ago, he was engaged at Sienna in teaching Alexander, the archbishop of St. Andrews, brother of the present king of Scotland. Basle, 21 May, 1527."

In addition I find in the original letter the following passage, the precise bearing of which perhaps cannot now be explained, but which is interesting as throwing some light on Cox's ambitions and affiliations during his abode in Poland. The churchman referred to may possibly be the Justus already mentioned in the letter; while "Cassoviensis" evidently refers to the Cassovia or Casehau already mentioned as the seat of the school whence Cox dates the dedication to his *Scholia* on the *Venatio* of Adrian:

"Ecclesiastae Cassoviensis animum satis admirari non possum; censeo fortunam amplectendam, vel ob id quo pluribus prodesse queas, vel ob hoc ne pessimo cuique sis contentui. Etsi qui dignitate praeminent non possunt omnia corriger, quae geri conspiciunt vel a populo, vel a Principibus, tamen non parum malorum possunt excludere. Si nos invisat; reperiet nihil aliud; quam pro thesauro carbones."

Cox apparently did not embrace the opportunity suggested, but soon after returned to England. Whether he made any other sojourn abroad is doubtful, and it is probably during Cox's Learning: Leland's these years that his reputation as a European scholar, Encomium. testified to by Leland, Bale, and other and later biographers,² was established. Leland's verses are interesting, and taken in connection with Erasmus' letter, show us among other things the comparatively high regard in which Cox was held in his own day, and evince at least some sort of a connection with Melanchthon:

¹The Justus here referred to is probably Justus Jonas (1493-1555), Luther's coadjutor and a friend of Melanchthon and Erasmus. See Letter of Erasmus to Jonas, June 1, 1519, in Erasmus' *Epistola*, lib. V, ep. 27. See art. on Justus in Herzog & Plitt's *Real-Encyklopädie für protestantische Theologie und Kirche*, Leipzig, 1880.

²E. g., Knight, *Life of Erasmus*, p. 229, tells of Cox's travels in France, Germany, Poland, and Hungary, and states that he "taught there the tongues, and became more eminent in Foreign Countries than at home."

Browne Willis, *View of the Mitred Abbeys*, 1719 (Appendix II of Leland's *Collectanea*): "Cox was a man universally celebrated for his Learning and Eloquence. He is one of Leland's Worthies."

"AD LEONARDUM COXUM.

Inclyta Sarmaticæ Cracouia gloria gentis,
 Virtutes novit Coxæ diserte tuas.
 Novit et eloquii phœnix utriusque Melanchthon,
 Quām te Phœbus amet, Pierisque chorus.
 Praga tuas cecinit, cecinitque Lutetia laudes,
 Urbs erga doctos officiosa viros.
 Talia cum constant, genetrix tua propria debet
 Anglia te simili concelebrare modo.
 Et faciet, nam me cantantem nuper adorta
 Hoc ipsum jussit significare tibi."¹

In or about 1530, then, Cox was appointed master of the grammar school of Reading, Berks, under the patronage of the Abbot Schoolmaster at Reading. Hugh Faringdon, a man of some prominence in the political and religious affairs of the day. And soon afterwards Cox was incorporated at Oxford, receiving his B.A. degree there Feb. 19, 1530 N.S. Cox appears to have remained at Reading as schoolmaster, with occasional journeys elsewhere connected with other matters, from 1530 to 1541.

In or about 1530 also I date conjecturally the first edition of Cox's *Rhetoric*, for the reasons given above. The second edition appeared in 1532, with a few slight changes, to be noted further on.

In 1530 appeared John Palsgrave's "L'Esclarcissement de la Langue Francoise," in which occur two sets of prefatory Latin verses written by Cox, the first being headed "LEONARDI COXI Readingiensis ludi moderatoris, ad Gallicæ linguæ studiosos, Carmen," while the second are complimentary verses "Eiusdem Coxi ad eruditum virum GEFRIDUM TROY de Burges Gallum."

In 1532 we hear of Cox again at Reading. About the middle of this year John Frith the martyr, venturing back to England after his long exile abroad, visited Reading, where on his arrival he was set in the stocks. "Cox," says Wood, Cox Aids the Protestant Frith. "who soon discovered his merit by his conversation, relieved his wants, and out of regard to his learning

¹ "Principum, ac illustrium aliquot, & eruditorum in Anglia virorum Encomia, Trophaea, Genethliaca, et Epithalamia. A Joanne Lelando Antiquario conscripta, nunc primum in lucem edita." London 1589. Page 50. "Lutetia" of course is Paris.

*Cited *infra*, p. 20

procured his release,"¹ — a deed worthy of a Humanist and friend of Erasmus!

In 1534 we get a glimpse of Cox's occupations and ambitions in a letter of his dated from Reading, 13 May [1534], and addressed to "the Goodman Toy, at the Signe of Saint Nicholas in Powles Churcheyard."² It is to be found among the Letters and Papers of the Reign of Henry VIII in the Record Office, Vol. VII, No. 659:

"Goode man Toy: I hartely commend me to you and to *your* good-wife and here I have sent you the paraphrase of Erasmus with the epistle of saint Poule to *Titus*, and my *preface* made, as you can bere me recordre, but sodaynly. Wherfor it canrott be but easy. Neuertheles I wyll desyer you to show it vnto the right wurshipfull Master³ Cromwell, and in any wise to know his pleasure whether it shall abrode or not. If his mastershipp think it meate to be prentid,⁴ I shall, if it so pleas him, either translate the work that Erasmus made of the maner of *prayer* or his paraphrase vppon the first and seconde epistle to Timothe or els such works as shall pleas his mastershipp, and dedicate also any suche labours to him. But if this that I have done shall nott please his mastershipp, my trust is yet that he wyll take no displeasure with me, seing I did it for a goode entent as the *preface* to the redar declareth; and agayne I wold not have it abrode with out his pleasure afore knownen. I am also a translating of a boke which Erasmus made of the bringing upp of children, which I entend to dedicate to the saide Master Cromwell, and that shortly after Whitsontide.⁵ Moreover it is shewid me that his mastershipp is recorder of bristol [Bristol], wherfor if I may know by *your letters* that he is content with my doings, I entend to write to him to besech him to be my goode master for the obteynyng of the fre schole there; for though I

¹ Cf. Wood's *Athen. Oxon.* ed. Bliss I, 74; Cooper, *Athen. Cantab.* I, 47; Foxe, *Actes, etc.*; *Dict. Nall. Biog.*; etc.

² A synopsis is given in Gairdner, *Letters and Papers of the Reign of Henry VIII* (London, 1883), Vol. VII, No. 659.

³ I. e., written before Cromwell had been created a baron in 1536.

⁴ Not printed apparently until 1549, long after Cromwell's death. See, *infra*, p. 21.

⁵ If this translation were ever completed it was never printed. The subject is one with which the age was greatly occupied. See Elyot's "The Governor." See also "A Lytell Booke of good Maners for Chyldren by Erasmus Roterdam, with Interpretacion of the same into the vulgare Englysshе Tonge, by Robert Whytyn-ton, Laureate Poete" (London, W. de Worde, 1522).

have many goode masters in the cawse, yet I had leuer have his favour then all the oother.

Ye, and it so pleasid his mastershipp, I wold be right glad to bere the name of his servant, and so, if you have oportunite, I pray you shewe him, and send me worde what answere you have. ffare you well. from Reding the xijijth day of maii.

Your own
leonard Cox.

The Goodman Toy to whom this letter was written was the printer John Toy, who issued in 1531 a *Gradus Comparationum cum verbis anomalis simul cum eorum compositis*,—“Imprinted at London, in Poules chyrche yard, at the sygne of saynte Nycolas, by me John Toye.”¹ Wolsey’s fall occurred in 1529 and by 1533 Cromwell’s position and power were well established. Cox is turning to the rising sun.

Letter to We do not hear of Cox again till 1540, when
Cromwell. we find him writing directly to his patron Cromwell
as follows:

Pleas your good Lordeshippe. Whereas I your poore bounden servant and dayly bedeman have often tymes considered your speciall goode favour² towarde me in tymes past when I was wayting in the courte on Sir John Walloppe,³ whiche it afterwarde pleasid you to renew of your singular goodnes when I was last in your Lordeshippes presence att Thorneburie,⁴—I have ben at all tymes greatly ashamed of my self that I had nothing whereby I myght declare again to your goode Lordeshippe my faithfull harte and serviceable mynde for your so great benevolence. Where vpon I have at the last drawen a comment vpon a boke made some tyme by master Lillie & correctid by Erasmus, whiche work of grammer is moche set by in all schooles bothe on this side the sea &

¹ Herbert’s Ames, I, 482.

² English ambassador at Paris in 1533 and later. Soon after Wolsey’s death a violent quarrel occurred between Cromwell and Sir John Wallop. (Cf. Jas. Gairdner, art. “Cromwell” in *Dict. Nall. Biog.*.) The “tymes past” alluded to were probably subsequent to this event. Cox, who was a good linguist, knew French, and had probably lectured in Paris, may have attended Sir John in one of his embassies. At any rate we learn from this that Cox had been at court.

³ In Gloucestershire, no great distance from Caerleon and Monmouth, two other places associated with Cox, and easily visited by one traveling from Reading. So Reading itself would be naturally visited by one passing from Caerleon or Thornbury to London.

beyonde.¹ This comment of myne made vpon the saide boke, I have here sent and dedicatid to you my speciall goode Lorde, as parte of witnes of my faithfull service owid to you for *your* singulare goodnes to me your poore bedeman. And thowghe my saide diligence be fer beneth my dutie to *your* so singular beneuolence, yet I moste humbly beseche your moste goode Lordeshippe to accept it. And I shall, God willing, or long dedicate to you better things. Our lorde *preserve your* estate with all *prosperite* and encrease of honore,

Your goode Lordeshippes

bounden servant & bedeman

Leonard Cox

Endorsed: "To the right honorable and my speciall goode lorde the lorde prevy seale."²

The second letter is as follows:

My singulare goode Lorde: pleas your goode Lordeshippe to vnderstonde that a lytle afore Whitsontide I receyvid a letter from M. Berthelet *Second Letter* prenter to the Kings moste honorable highnes, wherin he to Cromwell. certified me of *your* lordshippes goodnes towarde me as well in accepting my poore boke³ as in admitting me into *your* service, and of a ferther *promes* of your speciall benevolence; ffor the whiche I am moste bounden of all men nott onely to employ my self with all trewe diligence to do *your* Lordshippe the best service that I can, but also to be *your* dayly bedeman during my life. I beseche your good Lordeshippe to pardon me that I have not or this tyme, as my dutie is, geven attendaunce on *your* Lordshippe. But I trust or Michaelmas to bring with me to you a ferre better worke than that *which* I have dedicate to yowe all redy, & that vpon rhetorik, *which* I entende to entitle *Erotemata rhetorica*. I knowe right well the feblenes of my witte is suche that in oother things I can do *your* lordeshippe but small service or none; yet in this I trust so to serve you that the worlde shall alwaies be myndfull of *your* singulare beneficence, not to me onely, but to all that be studiouse of goode lernyng. Wherin I will neither spare busy studie & labour, nor coste on books. And ons *every* yeare I entend during my life, by Goddes

¹ Published 1540. See list of Cox's works, *infra*, p. 21.

² This letter, of which he gives a synopsis, is dated April 1540 by Gairdner in his edition of *Letters and Papers of the Reign of Henry VIII* (London, 1896), Vol. XV, No. 614; see also No. 706. Cromwell was made Lord Privy Seal 2 July 1536, and was executed on 28 July 1540. It was evidently written before Whitsuntide: see next letter.

³ I. e. The Latin Commentaries on Lilly, printed by Berthelet in 1540 (see Herberts' *Ames I*, 438), and spoken of in the preceding letter.

grace to set abrode one thing or oother to the perpetuall praise of your Lordeshippes most excellente vertues, & the commune prouise of students. Thus with all humilitie I for this present tyme take my leve, beseching the blessid Trinitie long to preserve your goode Lordeshippe with continual encrease of most prosperous honour.

Written at Caerleon in Wales on Trinite sonday:

Your goode Lordeshippe

poor servante & bounden bedeman

Leonard Cox.

Endorsed: "To the right honorable and my singular goode Lorde the lorde prevy seale."

The *Eretemata Rhetorica* unfortunately we do not possess. It is likely enough that the confusion and change of fortune intervening on the tragic ending of his patron so soon after writing these letters prevented Cox from going on with his plan.

This last letter, it will be noticed, is dated from Caerleon, in Wales. Whether Cox, whose birthplace was in Wales, was there simply on a visit, or whether he had gone to reside at Caerleon, there, perhaps after the equally tragic death of his old patron, the Abbot of Reading,¹ in 1539, and was teaching school there, as Wood² conjectures, is uncertain.³

It is, however, certain, whether in the meanwhile he had left Reading or not, that on Feb. 10, 1541, a royal patent⁴ was issued Royal Grant granting and confirming to Cox the office of master to Cox at of the grammar-school at Reading—"Dedimus et Reading. Concedimus," as the document runs, "ac per Præsentes Damus & Concedimus eidem Leonardo Officium Magistri sive Praeceptoris Schola Grammaticalis sive Ludi literarii Villæ nostræ de Reading in Comitatu nostro Berks." The patent then proceeds also to grant to Cox the messuage which he was then occupying, together with a plot of ground adjoining "ex parte

¹I. e. 23 May, 1540.

²See *infra*, p. 104, note to p. 1, line 3.

³*Athen. Oxon.* ed. Bliss, I, 123: "In the year 1540 (32 Hen. 8) I find that he was living at Caerleon in his native country, where I think he taught school."

⁴Note however the terms of the patent rehearsed below, by which it appears that Cox was still technically occupying a messuage pertinent to the school at Reading at the time of the issuing of the patent in 1541.

⁵Given in full in Rymer's *Fœdera* (London, 1712), Vol. XIV. p. 714.

Australi, ac etiam quoddam aliud Mesuagium sive Domuni in Reading prædicta, modo in Tenura & Occupatione prædicti *Leonardi* vocata *A Scholr-house*, in quo Pueri modo erudiuntur & docentur in Arte & Scientia prædictis." It is also provided that Cox during his lifetime may hold the grant by deputy. In addition he is to receive "quandam Annuitatem, sive Annualem Redditure *Decem Librarum* de Exitibus, Proficuis, Firmis & Reventionibus Manerii nostri de Cholsey in dicto Comitatu nostro Berks." The manor of Cholsey, from which Cox was to receive his annual stipend of ten pounds, belonged to the lately dissolved monastery of Reading.

Of Cox's later years we know very little. Bale, in his brief account of Cox, mentions vaguely only one date. "Claruit," he writes, "anno Domini 1540."² Tanner,³ giving Bale *Later Years.* as his authority for the first date, says: "Claruit grandævus A. MDXL vel A. MDXLIX. Vid. *Præsat. Paraphr. ad Titum.*" Tanner thinks that perhaps Cox was master of the grammar-school founded at Coventry by his friend John Hales, to whom he dedicates the translation of the *Paraphrase* just referred to. Colvile⁴ and Cooper⁵ both positively assert that he became master there in 1572. Cooper adds that "if he held that appointment till his death, he must have died in 1599, when John Tovey succeeded to the mastership." At this last date Cox would have been probably over a hundred, and on his appointment at

² Bale, *Scriptorum Illustrium maioris Brytannie Catalogus*, Basle, 1557, p. 713 (Centuria nona, no. xxvi). — The whole of Bale's account of Cox, as that of a contemporary, is interesting, and, as it is short, may be quoted here: "Leonardus Coxus, ab ipsa pueritia, liberalibus disciplinis bene institutus, rhetor, poeta, ac theologus, piusque divini verbi demum concionator, transtulit è Graeco in Latinum venerabilis antiquitatis scriptorem, Marcum Eremitam de lege et spiritu, lib. I. Transtulit in patrum sermonem Paraphrasim Erasmi in Paulum ad Titum, lib. I. Incip. Postquam régia majestas per. Scripsit contra eos qui ab operibus justificant, lib. I. Scripsit et scholla in G. Lilium, de Octo partium constructione, lib. I; ac diversi generis carmina et epistolæ, lib. I. Claruit anno Domini 1540."

³ *Bibliotheca Britannico-Hibernica* (Lond. 1748), p. 205. I regret that I have been unable to verify the reference to the Preface to the *Paraphrase* of the Epistle to Titus.

⁴ Colvile, *Worthies of Warwickshire*, p. 883,

⁵ Cooper, *Athenæ Cantab.*: also in *Dict. Natl. Biog.*

Coventry over seventy! If the name of Leonard Cox appears in the list of the masters of the Coventry school, the conjecture may be hazarded that this was perhaps a son of our Leonard Cox bearing the same name. At all events it is evident that Cox lived on into the reign of Edward VI, under whom it is stated¹ that he was one of the licensed preachers. He left a son Francis,² who became a D.D. of New College, Oxford, in 1594; and according to Knight³ another son, William, who was more likely, as others state, a grandson. Cox's name since his death has been known to few except professed antiquarians.

II. LIST OF WORKS BY COX.

(Works about the existence of which there is considerable doubt are enclosed in brackets.)

1. *Coxus, L. De laudibus Cracoviensis Academie: 8 Idus Decembris habita oratio a 1518. Cracoviae, 4^o, Victor. Copy in the Czartoryskische Museum in Cracow.*

2. *Adriani Cardinalis Venatio, una cum Schollis non ineditis Leonardi Coxi Britanni. [Colophon:] Cracoviae, in editibus Hieronymi Vietoris Typographi diligentissimi. Mense Iunio. An. D. M. XXIIII [sic].*

There is a copy in the British Museum and one also in the National Library at Paris. In the Dedication Cox discusses the Latinity of his author, the value of the book for reading in schools, and how it has helped to repel barbarous Latinity and to lead the way back to Cicero. There is a word in praise of Politian, who, it will be noticed, is cited also in the *Rhetoric*. Cox's text is merely a scholastic commentary, line by line, on Adrian's verses. At H iiiij recto there is a mention of Erasmus.

3. (a) *Leonardi Coxi Methodus humaniorum studiorum. Cracoviae in editibus Hieronymi Vietoris, ipsis Calendis Angusti Anno M.D.XXVI.*

(b) Also in the same year a second edition with the same title, but the following imprint: *Cracoviae in officina typographica Matthiae Scharffenberg. Anno M.D.XXVI.*

From Panzer, *Annales Typographici* (Norimbergae 1798) Vol. VI, pp. 468-9. It will be noticed that the first edition is from the same printer as No. 1. I have been unable to discover a copy of either edition.

¹ Tanner; Chalmers; etc. ² Cooper; Wood; etc. ³ *Life of Erasmus.*

4. De erudienda iuventute ad P. Tomichum. Cracovie, 1526,
Vietor.

5. (a) The Arte / or Crafte of / Rhetho/ryke/. [n. d.] [Colophon :] Imprinted at London in Flete strete / by me Robert Redman / dwelling at the sygne of the George / Cum priuilegio./

(b) The Arte / or Crafte of / Rheto/ryke./ [within a rude ornamental border]. [Colophon :] Imprinted at London in Fletestre by saynt Dunstones chyrche /, at the sygne of the George / by me Robert Redman, The yere of our lorde god a thousande / fyue hundred and two and thryt /, Cum priuilegio.

The Dedication in both editions is addressed to Hugh Faryngton, Abbot of Redyng, by Cox—"Leonarde Cox" in (a) and "Leonarde Cockes" in (b). Both are printed in "eights" in very small 8vo size (16mo). In (a) the signatures run from A i to F iii, a total of eighty-eight pages, about thirty lines to the page; in (b) to F viii or ninety-six pages (ninety-one pages of text), about twenty-nine lines to the page. Both are in black letter of apparently the same font.

For reasons given above (p. 10) I date (a) conjecturally circa 1530. It is not impossible, however, that (b) was the first edition, although it is highly improbable (see notes *infra* p. 103). Considering the close similarity of the two in typographical appearance it is not likely that they were separated in date more than two or three years. (a) is the basis of the present reprint, although all the more important variations in (b) have been noted. There is a copy of (a) in the British Museum, and of (b) in the Bodleian Library at Oxford. Mr. A. W. Pollard of the British Museum conjectures from its appearance that (a) was printed circa 1530; Mr. R. Proctor puts it circa 1535. In the British Museum catalogue and by most bibliographers it is put in 1524. Redman, the printer of this work, began business in 1525 and died in 1540. Herbert, however, says in a note: "Mr. Ames was informed that he [Redman] began printing in the year 1523; but he had not seen any proof of it before 1525; neither have I" (Herbert's Ames' *Typographical Antiquities*, London, 1785, Vol. I, p. 385).

This is the work mentioned by Tanner in his list of Cox's works as "De rhetorica anglice. Hollinsh. iii 978. Librum aliquem dedic. Hugoni abbati Readingensi." Hollinshed, in the passage referred to, merely mentions Cox as the author of a Rhetoric in English not mentioned by Bale.

6. Latin Verses appearing on the verso of the title-page of John Palsgrave's *L'Esclarissement de la Langue Françoise*, 1530; folio. As follows:

LEONARDI Coxii Readingiensis ludi moderatoris, Ad Gallicæ linguae studiosos, Carmen.

Gallica quisquis amas, exacte verba sonare,
 Et pariter certis jungere dicta modis,
 Nulla sit in toto menda ut sermone reperta,
 Pro vero Gallo, quin facile ipse probes,
 Hæc euolue mei Palgraui scripta diserti,
 His linguam normis usque polire stude.
 Sic te miretur laudetque urbs docta loquentem
 Lutecia, indigenam iuret et esse suum.

EIUSDEM Coxii ad eruditum uirum GEFRIDUM TROY de Burges Gallum, Campi Floridi authorem, quem ille sua lingua Champ Fleury vocat, nomine omnium Anglorum Phaleutium [sic].

Campo quod toties Gefride doce
 In florente tuo cupisti, habemus.
 Nam sub legibus hic bene approbatis
 Sermo Gallicus ecce perdocetur.
 Non rem grammaticam Palæmon ante
 Tractarat melius suis latinis,
 Quotquot floruerantue posteroruni,
 Nec Græcis melius putato Gazam,
 Instruxisse suos libris politis;
 Seu quotquot pætio prius fuere,
 Quam nunc Gallica iste noster tradit.
 Est doctus, facilis, breuisque quantum
 Res permittit, et inde nos ouamus,
 Campo quod toties GEFRIDE doce
 In florente tuo cupisti, habentes.

These doubtless, and perhaps others, are to be included in the "diversi generis carmina et epistolas, lib. I," written by Cox, according to Bale, and described by Tanner in the following terms: "*Epigrammata varia et epistolas.* Duo ejus carmina (1) *Ad lingua Gallicæ studiosos;* (2) *Ad Galfr. Troy auctorem Gallicum;* præfiguntur *Lexico Joh. Palsgrave, Lond., 1530, fol.*"

The Geoffrey Troy addressed is alluded to by Palsgrave in the "Epistle" as "Geffrey Troy de Bourges (a late writer of the frenche nation) in his boke intituled Champ Fleury." Troy, or Tory (Lat. Torinus), was a celebrated printer, engraver, scholar, and author of the time. See, e. g.,

the "Summaire de Chroniques . . . translate de Latine en Langaige Françoys, par Maistre Geofroy Tory de Bourges," 1529. He was born at Bourges c. 1485, and died 1533 at Paris. Palsgrave's phrase, above, probably does not mean to refer to him as dead, but as having lately written books. "Son œuvre capitale est un ouvrage qu'il composa et publia sous le titre de *Champ fleury, auquel est contenu art et science de la due et vraye proportion des lettres attiques, qu'on dit autrement lettres antiques, et vulgairement lettres romaines, proportionnées selon le corps et le visage humain* (Paris, 1529) . . . où il jette les bases d'une nouvelle grammaire française." (Larousse, *Grand Dictionnaire Universel*, XV, 325.)

7. Translation of Erasmus' Paraphrase of the Epistle of Paul to Titus, with a Preface. Made in 1534 (see supra p. 13); but apparently not printed till 1549, in "The Paraphrase of Erasmus vpon the newe Testamente," London, Edw. Whytchurch, 1548-9, two vols., folio; in Vol. II.

Cf. Lowndes, *Bibliog. Man.*, 748. Described by Tanner as follows: E Latino in Anglicum sermonem *Paraphrasim Erasmi in Paulum ad Titum* lib. I. Pr. ded. mag. Johanni Hales. "After that the kinges maiestye." London, 1549, ubi se alia industriae monumenta brevi missum promittit.

[8. Translation of "a boke which Erasmus made of the bringing upp of children": in 1534. See supra p. 13. Probably not printed.]

9. Commentaries upon Lilly: "De octo orationis partium constructione Libellus, editus a Guil. Lilio, emendatus ab Erasmo Roter: & scholiis, non solum Henrici Primæi, verum etiam doctissimis Leonar: Coxii illustratus. Anno M.D.XL." [Colophon:] Ex officina regii Impressoris. Cum privilegio solum. Anno M.D.XL.—Quarto.

From Herbert's Ames' *Typographical Antiquities* (London 1785) vol. I, p. 438, among works printed by Thos. Berthelet. Cf. Wood, *Athen. Oxon.*, I, 123. Many other editions of this work of Lilly's appeared during the sixteenth century, but none other, I believe, with Cox's Scholia. A copy is said by Herbert to have been "in the collection of Dr. Lort." I have not been able to find one. Referred to in Cox's letters above, pp. 14.

[10. Eroteinata rhetorica.—Probably not printed, but evidently nearly completed in May 1540. See supra, p. 15.]

[11. (a) The Translation, described by Bale, "é Græco in Latinum venerabilis antiquitatis scriptorem, Marcum Eremitam de lege et spiritu, lib. I."

(b) To which Tanner adds "Ejusdem de justificatione operum.")

(b) is perhaps the same work referred to by Tanner when he says that Cox—

[12. "Scripsit Contra justificationem ab operibus lib I." And by Bale: "Scripsit contra eos, qui ab operibus justificant. lib. I."] So far as I can discover none of these last mentioned works were ever printed.

III. THE RHETORIC OF COX: ITS PREDECESSORS AND SUCCESSORS.

The work of Cox and his chief service to his age was that of a translator and commentator, a sort of work much more important in that century than in this. Cox, like Colet, Grocyn, Linacre, and Lilly, served as an intermediary in the transmission to England of the Renaissance and Humanistic influence and literature. He had a reputation of his own among European scholars and men of the new learning, and he helped to carry their work into England. And so the questions of rhetoric and of literary form which deeply concerned all the men of the new learning came to concern Cox also, and to their elucidation, as is evident from the foregoing inspection of his letters and of the list of his writings, he devoted a large share of his attention.

The rhetorics of the Renaissance are mainly founded upon Hermogenes, Cicero,¹ and Quintilian, and, following the divisions

of these authors, are chiefly of two sorts, those that concern themselves with questions of invention and disposition; and those that mainly discuss matters of style and diction.² Cox, whose work falls in the first class,

¹ Especially Cicero. See Voigt, *Die Wiederbelebung des classischen Alterthums, oder das erste Jahrhundert des Humanismus*, Berlin, 1893, vol. II, p. 442: "Die Lehrbücher über Rhetorik . . . bilden nicht gerade eine reiche Literatur, weil die Humanisten sich gern unmittelbar an Cicero zu halten liebten. Dessen 'alte Rhetorik,' dass heist die Bücher de inventione, und die an Herennius gerichtete Rhetorik waren im Mittelalter immer beachtet und gelesen worden, wie ja schon Alcuin sein Lehrbuch nach ihnen verfasste . . . auch hören wir von den Humanisten oft die Meinung, man lerne die Redekunst besser aus Cicero's Reden als aus seinen Theorien." Notice in this connection that the last five or six pages of Cox's *Rhetoric* are directly founded on Cicero, while Cox's original, Melanchthon, constantly draws upon Cicero. It is a striking feature in Cox's work also, wherein he departs from Melanchthon, that at every opportunity he introduces and translates long extracts from Cicero's orations.

² On the emphasis laid on style in the rhetoric of the Italian Renaissance cf. Symonds, *Ren. in Italy, The Revival of Learning* (N. Y., 1888) p. 525.

refers his readers who may wish to carry their studies further, to "Hermogines among the Grekes, or els Tully or Trapesoncē among the Latines."¹ The Trapesoncē or Trapezuntius referred to was a typical rhetorician of the Renaissance period. Born in Crete in 1396, he taught Greek at Venice, and philosophy and belles-lettres at Rome. On account of an attack of his on Quintilian he was involved in various literary quarrels with Valla, Poggio, and other scholars. He made numerous translations from the Greek into Latin. He died at Rome in 1486. His *Rhetoric*, the first edition of which appeared at Venice circa 1470, is a paraphrase from Hermogenes. His work, transmitting that of his original, was widely circulated and exercised a great influence throughout Europe during the succeeding century. His divisions and order of treatment in a general way are those of Cox and of course of Cox's original, Melanchthon. Orations are of three sorts: Judicial, referring to the Past, Deliberative, to the Future, and Demonstrative, to the Present. The chief parts of an Oration are the Exordium, Narratio, and Contentio, whereunder are discussed Confirmatio and Confutatio, "Quot sint Status" (the "States" of Cox), and de Propositione et Divisione. In the last Book (Book V) is comprehended a discussion "de Elocutione," wherein the different qualities and kinds of style are considered, a part included by Melanchthon but omitted by Cox for reasons hinted at in his Dedicatory Epistle.² As in Cox's *Rhetoric*

¹ See the "Conclusion" of Cox's *Rhetoric*, *infra*, p. 88.

² Other rhetorical treatises much in vogue, but not leading directly to Cox which may be mentioned, are :

(a) *Priscianus Grammaticus, De praesercitamentis Rhetorica ex Hermogene translati*s (circa 1475).—A short elementary handbook treating of various topics such as "De Narratione," "De Usu," "De Refutatione," "De Descriptione," etc.

(b) *Guilielmus Fichetus, Rhetorica* (Paris 1471).—By a famous doctor of the Sorbonne. Cites frequently Cicero, Quintilian, Origen, etc. Follows the division of Judicial, Deliberative, and Demonstrative, with the subdivisions of Trapezuntius. In manner largely scholastic, putting emphasis mainly upon definitions. Book III, "de Elocutione."

(c) *Guillermi Tardivi [Guillaume Tardif] Rhetorica Artis ac Oratoria Facultatis Compendium* (Paris, circa 1475).—An attempt to present a digest of the Rhetorics of Cicero and Quintilian. The Divisions: Inven*ti*o, Dispositio, Elocutio, Memoria, Pronunciatio.

(d) *Oratoria Artis Epitoma Jacobi Publicii Florentini*. Venetiis 1485.—Refers to Cicero, Quintilian, Cyril, etc., as authorities. "Civilium questionum genera tria sunt. Concionale: Sermocinatuum: & Forense." Treats briefly of Invention,

so in most of his predecessors we frequently find appeal made not only to direct classical authority, but occasionally also to mediæval authority, and to that of the fathers of the Church, especially the Greek fathers, as Origen, Basil, and Chrysostom.

Most interesting for the history of English Rhetoric, however, is the first Rhetoric printed in England, which was also "the first book First Rhetoric printed at St. Albans," the Latin treatise of *Travers Printed sanus* entitled [incipit] *Fratri laurencii guilelmi de in England. saona . . . prohemium in novam rhetoricanu*. The

colophon is: *Compilatum autem fuit hoc opus in alma universitate Cantabrigiæ. Anno domini 1478 . . . sub protectione . . . Regis Anglorum Eduardi quarti. Impressum fuit hoc presens opus Rhetorice facultatis apud villam sancti Albani. Anno domini M.CCCC.LXXX.* The work follows in general the divisions of the ancient rhetorics (especially Cicero, Cf. D il rectu).

Disposition, and their parts and loci; then at length of Eloctio, and of Tropæ and Figures.

(e) *De primis apud rhetorem exercitationibus præceptiones* P. Mosellani in studiorum usum comparatae. Cologne 1523.—A book of rhetorical exercises in each kind, with models, for the use of schools. *De Fabula* (model: the Fable of the Grasshopper and the Ant), *De Narratione* (An example from Aulus Gellius), *De Refutatione*, *De Confirmatione*, *De Laudatione*, *De Vituperatione*, *De Locis Communibus*, etc. The plan is similar to that of Rainoldie's *Foundation of Rhetoric* (see infra p. 33).

(f) See also the Rhetorics of Melanchthon, discussed infra, pp. 29-31.

—Rhetorics of the second class, dealing chiefly with matters of style and diction ("Elocutio") were:

(g) [Incipit] "Summa Rhetoricae condita per egregium P. de la Huzardiere nacionis normanice" (Paris circa 1475).—"Rhetorica est ars arcum ceterarum expositiva. Cujus officium est apposite dicere ad suadendum." Cites Cicero, Quintilian, and Aristotle. Treats only of Elocutio and its three parts, elegantia, compositio, and dignitas.

(h) Joannes Balbus, *Catholicon*. Venetiis 1506.—A monkish compendium widely used. The Grammar, part IV, treats of figures and tropes.

(i) Barzizins, *De Eloquentia*. Colophon: Explicit opusculum domini Gasparini [Barzizil] Pergamensis de Eloquentia congrue dictum. Circa 1498.

(j) *Le grant et vray art de pleine Rhetorique*, composé par maistre Pierre l'abri. Rouen 1521.—Book I, a Rhetoric of Prose for those who wish to learn how to compose "Descriptions . . . Orisons, Lettres . . . Sermons, Recitz," etc. Book II, of Poetics. Compare with Puttenham's Arte of English Poesie, 1589.

(k) *De Elocutionis Imitatione*. Autore Jacobo Omphalio. Paris 1537.—The rhetoric of style. With exercises.

(l) Andomari Talaei. *Rhetorica*. Paris 1552 (fifth ed.)—Widely used.

and draws its examples both from Cicero and from the Bible. It is scholastic in tone, with frequent reference to the fathers of the Church, as St. Bernard, St. Anselm, St. Basil, Beda, etc. Book I discusses "quid sit oratoris: quid oratoris officium: quis ejus finis & de partibus ejus & oracionis." In the third Book style and diction, including tropes and figures, are treated. In this work, however, notwithstanding certain signs of the approaching dawning of the new learning, we are still in the atmosphere of the Middle Ages. With Cox fifty years later, in spite of the rudeness of the new vernacular in which he is working and the elementary nature of his design, we feel ourselves in a new age.

Between Traversanus and Cox there are two passages in English literature relating to the art of rhetoric which are significant. Other Passages The former of these, which is perhaps the first printed account of rhetoric in English, is the short passage preceding Cox. on the subject in Caxton's *Myrrour & dyscrysþeyon of Caxton. the worlde, with many meruayles of the .vii. scyences As Gramayre, Rethorike, with the arte of memorie, etc.*, 1481, which is of sufficient curious interest to reproduce here in its entirety.¹

Entered for publication in England, the Stationer's Register, Nov. 11, 1577 (ed. Arber, II, 319). "Rhetorica est doctrina bene dicendi . . . Partes ejus duæ sunt, Elocutio & Pronuntiatio." The author claims that "inventio rerum et dispositio" are properly a part of Dialectics. Treats only of Style and Elocution: chiefly of Tropes and Figures.

—Other treatises of a miscellaneous character relating to rhetoric are:

(m) *Ars scribendi epistolas* Jacobi Publicii Florentini. *Ars Memoriae* J. P. F. With his *Oratoria Epitoma* 1485.

(n) Albertanus, *Compendiosus tractatus de arte loquendi. & tacendi*, 1485. — A manual of the art of conversation. Moralistic.

(o) *Rhetorica* Poncii. *Colophon: Explicit Modus Dictandi Magistri. Poncii . . . 1486.* — Mainly an art of writing "Epistolæ." "Partes dictaminis essentiales: Salutatio, Exordium, Narratio, Petatio, & Conclusio."

(p) Erasmus, *De Copia verborum*. Basle 1514. Epistle dedicatory (to Colet) dated "London 1512." Of vocabulary and diction. What authors help to "Copia." Vices of excessive "Copia." Poetic vocabulary, metaphor, synonyms, etc. Of Fable, Apologue, Description, Imagery, etc.

(q) Aquila Romani *de Figuris sententiariis et elocutionis liber*. Venice 1523. — A list of the figures of rhetoric with definitions.

(r) Jacobus Omphalius *De Elocutionis Imitatione ac Apparatu*. Paris 1537. — Treats of Imitation as a means of acquiring style.

¹The work is a translation by Caxton of the French version of the *Speculum Mundi*. Blades' *Caxton*, II, 82-3. I quote from the reprint of circa 1527.

[D iii recto] Rethoryke is a scyence to cause another man by speche or by wrytynge to beleue or to do that thynge whyche thou woldest haue hym for to do. To the which thou must fyrt deuyse some wey to make thy herers glad & wel wyllyng to here. The which thynge to brynge to passe thou must deuyse dyuers weys. The fyrt is that thou promyse hym some meruelous thynge, or some other strange thynge, or some thynge touchyng hym self or some thynge touching his fryndes or his enemyes.

¶ Also whan thou haste made hym gladd to here the, thou must take hede that in the matter which thou shewest thou must vse .V. maner thynges. The fyrt is : *inuencion*, as to ymagyn the mater which thou intendest to shew, which must be of trew thynges, or lyke to be trew & to note well how many thynges in that mater ought to be spoken.

¶ The .ii. thynge is *disposition*, which is to shew ebery thyng of thy matter *in ordre*, as whan thou haste *inuentyd* & appoynted *in thy mynd* how many thynges thou wylte speke of, than thou must dyspose ebery thyng *in ordre* & which *mater* shalbe fyrt spoken & whiche shalbe last.

¶ The third thing is *eloquens*, as whan thou haste disposed how ebery poynt & *mater* shalbe shewed *in ordre* than thou must *utter* it with sayre eloquent wordes, and not to vse many curyous termes, for superfluycy in ebery thyng is to be dysprayed; And it hyndreth the sentence. And whan a man delatith his *mater* to long or that he *utter* the effecte of his sentence, though it be neuer so well *utteryd*, it shalbe tedious vnto the herers; for every man naturally that hereth a nother, desyret moste to know the effecte of his reason that tellyth the tale, as the philosopher seith (*omnis homo naturaliter scire desiderat*). Therfor the pryncypall poynt of eloquens reityth [restyth] euer in the quycke sentence. And therfor the lest poynt belongyng to Rethorike is to take hede that the tale be quycke & sentencious.

A passage on "Ars memorativa, Or Memory" and one on voice and gesture follow.

Equally curious are the chapters in Hawes' *Pastime of Pleasure* (chs. 7-13) in which we are told how Graunde Amoure "was re-
ceyved of Rethoryke, and what rethoryke is; Of the first Hawes. part, called Invencion, and a commendacion of poetes; Of Disposition, the .ii. part of rethorike; Of Elocution, the thirde part of rethoryke, with colouryng of sentences; Of Pronunciation, the .iv. part of rethoryke: of Memory, the .v. part of rethorike," and

¹ Written about 1506, and printed 1517. See reprint of edition of 1555 in the Percy Society Publications, 1845.

the like.' No one can complain of the importance attributed to the art of rhetoric in Hawes' allegorical system.

Cox's aim in presenting an Art or Craft of Rhetoric to the English public of his day was a simple and practical one. Education Aim and Plan was spreading; new grammar schools were being of Cox's founded; in much of the work of teaching in these Rhetoric. schools the vernacular necessarily was used; the new learning brought with it a new sense of style and form in prose; and there were no text-books of the subject in existence written in English. Lawyers, ambassadors, preachers, and all public speakers, says Cox in his interesting preface, have need of rhetoric, yet nothing today is less taught. What wretched work do we daily see around us for lack of such teaching! So that when we hear a speaker, very often "greate tediosnes is engendred to the multytyde beyng present, by occasyon where of the speker is many times or he haue endyd his tale eyther lefte almost alone to hys no lytle confusyon, or els, which is a lyke rebuke to hym, the audyence falleth for werynes of his ineloquent langage on slepe." Furthermore, Cox aims especially to help those who "haue by neclgence or els false parsuasyons be put to the lernynge of other scyences or euer they haue attayned any meane knowledge of the latyne tongue." For, of course, not only is Latin the accepted central discipline in the Humanistic theory of education, but it is the store-house of all existing learning. The book is intended for "young beginners"; others, who can read Latin or Greek, may consult "Hermogines among the Grekes, or els Tully or Trapesonc among the Latines." "And to them that be yonge begynnars nothinge can be to playne or to short." We are reminded of the similar words of Colet, in his "Proheme" to the *Introducyon of the parties of spekyng, for chyldren and yonge begynnars into latyn speche*, written for his "newe schole of Powels" in 1510, where that kindly humanist maintains "that nothinge may be to soft nor to famylyer for lytell chyldren.³

² Cf. Gower, *Confessio Amantis*, Book VII, "Hic tractat de secunda parte philosophie, cuius nomen Rhetorica facundos efficit," etc. (Chalmer's *Poets*, II, 215). Naturally Rhetoric, as one of the members of the Trivium, or undergraduate curriculum in medieval education, receives frequent mention in most of the early writers.

³ See the 'Conclusion of the Author' p. 87.

⁴ Cf. Seeböhm, *The Oxford Reformers* (London 1887) p. 213. See also Flügel, *Neuenglisches Lesebuch* (Halle 1895) p. 298.

Cox is thus, it will be seen, little concerned with the theory of rhetoric. His aim is to tell very plainly the manner of the putting together (the "Invention") of orations of the several kinds then recognized by the rhetoricians. Every point is illustrated by an example. We are told in a given situation what is the leading idea pertinent thereto which it is incumbent on the orator to bring forward. Most of these leading cases are drawn from Cicero; others from Livy, Sallust, and the like. Then we are shown how Cicero or another actually did put his oration together. The whole method is that of the Ciceronians and the Renaissance educators simplified and put in the vernacular for the use of those who cannot use Latin texts and mannales. Fifty years later the same method without simplification or vernacularization is still in use in the English universities, where the orations of Cicero continue to serve as models in the teaching of rhetoric.

Cox's work, then, is designed as a schoolbook and as an elementary introduction for those who have missed the advantages of a scholastic training. His plan is restricted to the treatment of invention and the formal ordering of speech, for that once mastered, "there is no very great maystry to come by the resydne," and it is in this that the public speaking of the day is particularly deficient. Questions of style must be postponed to a later generation, after the matter of structure has been mastered. And, indeed, by the time of Sir Thomas Wilson in 1553 the question of style has begun to assert itself, until with the Elizabethans it is the question of questions. Furthermore, if this work, "the fyrste a: of my pore and symple wyt,"¹ find favor, the author promises "to endight other werkes both in this facultye and other."² Inasmuch as the Rhetoric passed to a second edition,³ we may conclude that it met with success; and probably the *Erotemata Rhetorica* upon which Cox was engaged in 1540 were designed as a part fulfillment of this promise.

¹ By which phrase I take it that Cox means his first essay in English. He had already made at least two essays in Latin.

² So in the "Conclusion" Cox similarly promises: "I will assay my selfe in the other partes, and so make and accomlysshe the hole werke."

³ Its extreme rarity today is probably accounted for by the fact that it was a schoolbook—books, which so rapidly destroyed in use as they were, are the rarest of old books today.

Cox's *Arte or Crafte of Rhethoryke* is only in part his own composition. It is, as he frankly avows, largely founded upon the work of another. "I haue partly traunslatyd out of a <sup>Cox's Chief
Source</sup> werke of Rhetoryke wrytten in the lattyn tongue, and partly compyled of myne owne, and so made a lytle treatise in maner of an introduccyon into this aforesaid scyence and that in the englysshe tongue."¹ And later, in the "Conclusion," Cox says: "But nowe I haue folowed the facion of Tully, who made a seuerall werke of inuencion."² Cicero however is not Cox's chief authority, nor does he seem to have taken very much directly out of Cicero's rhetorical writings.³ The "werke of Rhetoryke wrytten in the lattyn tongue" out of which Cox translates and on which his work is mainly founded is the "Institutiones Rhetoricae" of Melanchthon, published in 1521. Melanchthon is "oure auctour," so frequently referred to in the course of Cox's work.⁴ Readers of Professor C. H. Herford's scholarly work on the *Literary Relations of England and Germany in the Sixteenth Century* are aware how close was the connection of English and German scholarship and letters in the first half of that century. Cox, like Melanchthon, was an educator and humanist, and inclined to the reformed religious doctrine, while his failure to mention Melanchthon's name anywhere is doubtless to be attributed to the prejudice against the German reformers in high quarters in England at this moment. When the idea of bringing out a work on the Art of Rhetoric written in English first occurred to Cox, it was natural that he should turn to the convenient compendium of the subject recently written by the great humanist educator and religious reformer of Germany, with whom, probably enough, he had already come in contact on the continent.

In 1519 Melanchthon had written a larger work on rhetoric, his *De rhetorica, libri tres*,⁵ to which Cox refers two or three times, and

¹ *Infra*, p. 42.

² P. 87.

³ See, however, *infra* p. 103.

⁴ See *Modern Language Notes*, May 1898, where I have described my discovery of the source of Cox's *Rhetoric*.

⁵ At Wittenberg: reprinted at Basle in the same year; at Leipzig 1521; Cologne 1521; and Paris 1527 and 1529. Cf. Bretschneider, *Corpus Reformatorum*, Halle 1871, f. (the first 28 volumes comprise the works of Melanchthon; the rhetorical writing, *etc.* in Vol. 30).

from which he borrows several passages.³ In 1521, however, a shorter and much simplified version, adapted to school use, was compiled, perhaps from the notes of Melanchthon's lectures,⁴ and published with the title *Institutiones Rhetoricae* Philip. Mel.⁵ From the first book of this work, treating of Invention, Cox draws the greater part of his treatise, and this book accordingly is herewith reprinted for convenience of comparison. I reserve for the Notes the discussion of the exact relation between the two works.⁶ A cursory comparison of the two texts will show the closeness of Cox's dependence on his original. At the same time numerous passages in Cox seem to be of independent composition. Particularly interesting among these are many of the illustrations drawn from Renaissance and Mediæval history and lit-

³ See the Notes *infra* pp. 105, 106, 108-9, 111, 112, concerning this work.

⁴ Melanchthon himself, in an epistle to Joannes Agricola concerning this work, writes: "Qualesunque sunt haec precepta in eis Rhetoricae, quas dictavimus non scripsimus, opto ut lectori pro sint. . . . Porro magna ex parte res Rhetoricae purius emendatiusque tractata est, quam in pluribus meis libellis." Bretschneider's note on this is: "Intelligitur itaque, hec quae hic edita sunt, dictata esse a Melanthoni in schola, et ab amicis, probante Melanthoni, edita."

⁵ At Hagenau; reprinted Cologne 1521; Paris 1523; Strassburg, 1524.

⁶ Other rhetorical works by Melanchthon, which do not concern us here, were the "Phil. Mel. Elementorum rhetorices libri II," Wittenberg 1531, a recast of the earlier works (also 1532, 1534, 1536, 1542, etc.), finally re-edited 1542 (reprinted many times), and his *Encomium Eloquentiae* or "Necessarias esse ad omne studiorum genus artes dicendi Philip. Melanchthonis declamatio," Wittenberg n. d.,—not a treatise but a brief general essay on the subject of the title (compare Gabriel Harvey's *Rhetor*). One passage from this latter work, which illustrates both the abuses of the time and the aims of the reformers and humanists, is worth quoting:

"Disciplinae omnes dicendi genere sic obscuratae sunt, ut ne doctores quidem ipsi, quid profiterentur satis compertum haberent. Digliadiabantur inter se de figuris sermonis philosophi, tanquam in tenebris Andabatæ, nec quisquam à domesticis suis plane intelligebatur."

On M's rhetorical writings and their importance see further A. Planck, *Melanthon Preceptor Germaniae, eine Denkschrift* (Nördlingen 1860); Paulsen, *Gesch. des gelehrt. Unterrichts auf den Deutschen Schulen und Universitäten* (Leipzig 1885), especially p. 149: "Melanchthon's Kompendien . . . der Rhetorik und Dialektik . . . [etc.], dienten bis ins 18. Jahrhunderts hinein dem gelehrt. Unterricht auf den deutschen Universitäten und Schulen als Grundlage." According to Hallam (*Lit. Europe*) Melanchthon was, "far above all others, the founder of general learning in Germany."

erature, as well as some things also from Cicero and the classics. Not only does Cox add to Melanchthon, but he freely omits and condenses as suits his purpose. Thus, as already stated, he omits the whole of Books II and III, on *Dispositio* and *Elocutio*. Melanchthon's own direct prototypes seem to be *Herinogenes* or *Trapezuntius* (the latter he refers to with approval), Cicero, and Quintilian. All of these, except the last, are expressly named by Cox as trustworthy authorities.

Cox's *Rhetoric* doubtless served its turn with its own generation, but any direct influence from it on later English rhetorical writers can scarcely be traced. Cox's work helped to teach Service of Cox's better order and method in public speaking, an aim Rhetoric. which also inspires his next important successor, Sir Thomas Wilson; but with anything beyond the structural part of composition Cox is hardly concerned. The preoccupation with style comes in with the next generation.

Cox's own prose has some historical value among the none too numerous monuments of English prose in the first half of the sixteenth century. His style is of purpose extremely simple and plain, in order to meet the understanding of **Cox's Prose Style.** "young beginners;" but joined with his simplicity there is a certain rudeness which is not the strong and eloquent rudeness of Latimer, and a certain awkwardness of phrase and syntax which prevent our placing him as a writer of English anywhere near his great predecessor, Malory, his great contemporaries, More, Colet, Tyndale and Coverdale, and Elyot, or his great successors, Ascham and Wilson. He writes purely didactic prose, it is true, in which there is no opportunity for style; he saves himself from excessive Latinisms; his manner is straightforward and to the point; but little more than this can be said for him as a writer of English. In Cox's day English prose is but in the making, and with few, except one or two original spirits, does it advance to style. And Cox is not one of the originators. Nevertheless, in his way, by precept if not by example, he contributed to the formation of the new art; and so is to be reckoned with in the history of English prose.

The next¹ and the only other important English Rhetoric of the sixteenth century after Cox was *The Arte of Rhetorique, for the*

¹ But see note A at the end of this Introduction, p. 33.

use of all suche as are studious of Eloquence, sette forth in English, by Thomas Wilson. Anno Domini, M.D.LIII. English Rhetorica fol. Mense Januarij.¹ Wilson's work is much superior to Cox in originality and scope. Wilson follows the Ciceronian tradition with more independence. He aims to cover the entire field of the older rhetorics, treating in order of Invention, Disposition, "Elocution" (*i. e.*, Diction, or "an applying of apt wordes and sentences to the matter"), Wilson. Memory, and "Utterance" (or "a framyng of the voyce, countenance, and gesture, after a comely maner"). The parts of an oration, too, from "the Enteraunce" to the Conclusion, are as in Cox and his predecessors; and so are the sorts of oratory, "Oracion demonstrativa," deliberative, and judicial. In his first and second books, except for greater amplification and a surer hand, Wilson's work differs little in structure and design from Cox's. The rest of the work, however, is entirely additional matter. And the chief interest of Wilson's Rhetoric is in his discussion of English style and diction in his third book. It is probable enough that Wilson may have seen Cox's book, but evidently he owes less to it than to their common sources. After Wilson, the emphasis in the popular rhetorics of the day is upon style and ornament, rather than upon structure and argument as with Cox and Wilson. No original work however Jonson. is done until Ben Jonson's scholarship touches the subject in his *Timber or Discoveries*, and until Bacon,² in his *Advancement of Learning*, "stirs the earth a little about the roots of this science," reprehending "the first distemper Bacon. of learning, when men study words and not matter," and uttering upon the rhetorical precept and practice of the preceding century, upon Car and Ascham, upon Sturmius and Erasmus, the trenchant comment that "the whole inclina-

¹ Also 1560, '62, '67, '69, '80, '84 and '85.

² *Advancement of Learning*, Book I, chap. iv, § 2. See especially Book II, chaps. xvii f. Bacon is the first to urge that rhetoric, or the theory of prose, is a fitter subject for the Quadrivium or graduate course than for the Trivium. See also Bacon's *Antitheta*. "Perhaps one of the most notable modern contributions to the art [of rhetoric] is the collection of commonplaces framed (in Latin) by Bacon . . . He called them 'Antitheta.'" (Jebb, art. "Rhetoric," *Encycl. Brit.*, ninth ed.)

tion and bent of those times was rather towards copie than weight." *

A. Next in point of time, after Cox, among English rhetorics was, perhaps, *A Treatise of Schemes and Tropes, very profitable for the better understanding of good authors, gathered out of the best Grammarians & Orators*, by Rychard Sherry, Londoner, 1550. Partly rewritten and under an altered title in 1555. This as its title implies, is not a complete rhetoric, but is noteworthy as indicating the new interest in matters of style at even this early date. The preface is of interest for its discussion of the state of contemporary English and of the work of English authors. Latin rules of rhetoric with English paraphrases. Brief consideration of style, perspicuity, etc. Then of tropes and figures. His chief authorities, as cited, are Cicero, Quintilian, Erasmus, "Mosellane," and "Rodulphus Agricola." To the last named he seems to express especial indebtedness.

Other works on rhetoric in England during the century were, (b) "A booke called the *Foundacion of Rhetorike* . . . made by Richard Rainolde, Maister of Arte, of the Uniuersitie of Cambridge, 1563." Less a systematic treatise than a discursive consideration of the value and nature of rhetoric, followed by "Progimnasmata" or practical precepts, accompanied with model excrcises or "Oracions." Of considerable antiquarian interest. Refers to Aplithonus, Quintillan, Hermogenes, and Tully, as the best authorities. Refers in complimentary terms to Wilson's Rhetoric, but ignores Cox.

(c) In Ascham's *Schoolmaster*, 1570, Book II, passim, are numerous passages of rhetorical precept (e. g., Works ed. Giles, London, 1864, Vol. III, 184 f., 208 f., 240 f. — cf. 95).

(d) "The *Enimie of Idleness*. Teaching the maner and stile how to indite, compose, and write, all sorts of Epistles and Letters . . . Set forth in English by William Fulwood, Marchant, 1568." Also 1571, 1578, 1586, 1593, 1598, 1621. A ready letter-writer in four books. In the dedication we are told:

"For know you sure, I meane not I the cunning clerks to teach: But rather to the vnlearned sort a few precepts to preach." Many model letters, both for common occasions, as well as from Cox's heroes, Hermolaus Barbarus, Angelus Politian, etc. Evidently a translation, at least in part, from some foreign original. Important in the history of Elizabethan style.

(e) H[enry] P[eacham], "The *Garden of Eloquence*, conteining the most excellent Ornamentes, Exornations, Lightes, flowers, and formes of speech, commonly called the figures of Rhetorike . . . Manifested and furnished with varietie of examples," 1577. Also 1593, revised, under above title. A mere list and description of tropes and figures, with illustrations chiefly scriptural, partly classical. Unimportant, but another sign of the devotion of the age to "exornation" of speech.

(f) "Gabrielis Harvei Rhetor, vel duorum dierum *Oratio de Natura, Arte, & Exercitatione Rhetorica*," 1577. An academic essay on the scholastic study of Rhetoric, in praise of the Ciceronian style, ancient and modern, with rules of good

* A similar criticism is made in 1531 by Sir Thos. Eliot, in his *Governor* (ed. Croft I, 116).

writing, etc. Interesting peroration reciting the great masters of style, ancient and modern, and mentioning Chaucer, More, Eliot, Ascham, and Jewell. Will not touch upon the future, "nam de futuro nihil video in tanto praesertim tam admirabilium ingeniorum flore affirmare."

(g) Richard Mulcaster, "The First Part of the Elementarie which entreateth chefele of the right writing of our English tung," 1582. Valuable and original observations on the art of writing English, and upon the theory of Education. Largely occupied with orthography. Warm defense of the possibilities of English. The first of handbooks of composition or rhetorics in the modern sense. An elementary text-book of language-teaching, a treatise on education, and a practical rhetoric, all in one. Highly important in the history of Elizabethan prose criticism. Cf. the same writer's *Positions*, 1581 (reprinted, London, 1887).

(h) Dudley Fenner, "The Artes of Logike and Rhetorike, plainlie set foorth in the English Toung," 1584, 1592, etc. A rhetoric of style and figures, by a dissenting minister. A translation, as the author tells us. "Rhetorike is an Arte of speaking finely . . . It hath two partes: Garnishing of speech, called Eloquuntio; Garnishing of the maner of utterance, called Pronunciation." Barren, schematic, and inadequate.

(i) "The Arcadian Rhetorike: or, the Precepts of Rhetorike made plaine by examples, Greeke, Latin, English, Italian, French, Spanish, out of Homers Ilias and Odissea, Virgils Aeggloga, Georgikes, and Aeneis, Sir Philip Syduels Arcadia, Songs and Sonets, Torquato Tassoes Goffredo, Amlinta, Torrismomilo, Salust his Iudith, and both his Semaines, Buscan and Garcilassoes Sonets and Aeggloga. By Abraham Fraunce," 1588. Sufficiently described by the title. Excessively rare; only one copy known, that in the Bodleian (?). A rhetoric of style and figures. Significant of new foreign literary influence, and of the style and literary standards then à la mode.

(j) With the rhetorics of style and figures should also be reckoned Book III of Puttenham's *Arte of English Poesie*, 1589. This is the most elaborate treatment of figures yet. See Arber's reprint, 1869.

(k) "The Orator: Handling a hundred severall Discourses, in forme of Declamations: . . . Written in French, by Alexander Seluayn, and Englished by L. P.," 1596. "[Lazarus] Pl[iot]" is one of Antony Munday's pseudonyms. The preface states that the aim of the book is to teach rhetoric. A collection of model orations—most of them sufficiently spiced for the Elizabethan popular taste. The author of the original was Alexander van den Busche, called Le Sylvain.

All of these works were more or less popular and elementary. At the universities the Latin rhetorics were studied. "At Cambridge in 1570 the study of rhetoric was based on Quintilian, Hermogenes, and the speeches of Cicero viewed as works of art. An Oxford statute of 1588 shows that the same books were used there" (Jebb, art. "Rhetoric," *Encycl. Brit.*, 9th ed.).

IN PHILIPPI MELANCTHONIS RHETORICA
TABULÆ.

TRIA SUNT OMNINO CAUSARUM GENERA. DEMONSTRATIVUM, DELIB-
ERATIVUM, JUDICIALE.

I. DEMONSTRATIVUM.

Demonstrativum, cum laudamus aut vituperamus.

Et est triplex, sicut

I. DEMONSTRATIVUM PERSONARUM.

Demonstrativum personarum habet orationis partes quatuor { a) Exordium
b) Narrationem
c) Contentionem
d) Perorationem

a) *Exordium* constat locis

— Benevolentia petitur à { Rebus
& Personis

Sunt vero plurimi benevolentie captandie loci, qui hic recenseri nequeunt. Utimur nonnunquam Insinuacione etiam, cum turpitudinem quæ in causa videtur esse, excusamus,

— Attentio, cum af-
firmas te dicturum
esse de

— Docilitas, cum af- { Breviter } dicturum
firmas te { Dilucide }

b) Narrationis loci sunt	<table border="0"> <tr> <td>Natales</td><td></td></tr> <tr> <td>Pueritia, ubi de ingenio dicitur et educatione</td><td></td></tr> <tr> <td>Adolescentia, ubi studia considerantur</td><td></td></tr> <tr> <td>Juventus, ubi res publice aut privatum gestae considerantur</td><td></td></tr> <tr> <td>Mors, quæ illam secuta sunt</td><td></td></tr> </table>	Natales		Pueritia, ubi de ingenio dicitur et educatione		Adolescentia, ubi studia considerantur		Juventus, ubi res publice aut privatum gestae considerantur		Mors, quæ illam secuta sunt	
Natales											
Pueritia, ubi de ingenio dicitur et educatione											
Adolescentia, ubi studia considerantur											
Juventus, ubi res publice aut privatum gestae considerantur											
Mors, quæ illam secuta sunt											

c) Contentione fere hoc genus caret, quia non agitnr de dubiis rebus.
d) Peroratio constat { Enumeratione argumentorum
{ Affectu

2. DEMONSTRATIVUM FACTORUM.

Demonstrativum factorum habet partes quinque

- a) Exordium
- b) Narrationem
- c) Confirmationem
- d) Conutationem
- e) Perorationem

- a) Exordium ab iisdem locis petitur, & quibus superius.
- b) Narratione in hoc genere raro utimur, frequentius propositionibus.

c) Confirmationis loci	<table border="1"> <tr><td>Honestum</td></tr> <tr><td>Utile</td></tr> <tr><td>Facile</td></tr> <tr><td>Difficile</td></tr> <tr><td>Possibile</td></tr> <tr><td>Impossibile</td></tr> </table>	Honestum	Utile	Facile	Difficile	Possibile	Impossibile
Honestum							
Utile							
Facile							
Difficile							
Possibile							
Impossibile							

d) **Confutatio ferè non incidit in laudes.** Huius autem loci sunt contrarii confirmationi.

Repetitio argumentorum		
e) Peroratio constat	Affectu	Gratulationis in laetis
		Imitationis in laetis
		Comiserationis in tristibus

3. DEMONSTRATIVUM RERUM.

Démonstrativi rerum
sunt partes quinque

- a) Exordium
- b) Propositio. Nam in hoc genere narratio nulla
est, sed vice narrationis propositio ponitur
- c) Confirmatio: cuius loci
 - Utile
 - Facile
 - Difficile
- d) Confutatio, que locis contrariis constat
- e) Peroratio, que constat iisdem locis quibus supra

II. DELIBERATIVUM.

Deliberativum cum suademus aut dissuademus, petimus, hortamur aut dehortamur.

Hujus partes	a) Exordium	Honestum : Exempla plurimi valent in hoc genere	
	b) Narratio, quæ rara est. Ejus vice propositio ponitur. Nonnumquam incident breves narrationes, sed statim sequitur propositio.		
	c) Confirmatio, cuius loci		Utile
			Facile
			Difficile
	d) Confutatio, quæ à locis contrariis petitur.		
	e) Peroratio, ut supra, enumeratione et affectu constat		

III. JUDICIALE.

Judiciale, quo controversiae ac lites continentur. Hujus triplex est status.

Qui sunt	1. Conjecturalis, An sit
	2. Juridicallis : Jure an injurya
	3. Legitimus, Quid sit

I. DE CONJECTURALI STATU. AN SIT:

Status Conjecturalis constat quinque partibus, quae sunt	a) Exordium	i Voluntas
	b) Narratio, quæ est historica facti commemoratio, cum sequitur statim propositio	
	c) Confirmatio	
	d) Comprobatio	
	e) Peroratio	

— c) Confirmationis sunt hujus, loci duo sunt	i) Voluntas	ii) Potestas
-----------------------------------------------	-------------	--------------

i) Voluntatis loci, cuius loci	a) Qualitas personæ	i) Voluntas
	b) Causa inducens ad suscipiendum facinus	
	c) Impulsio, quæ est effectus, ira, odium, avaritia, &c.	
	d) Ratiocinatio, quæ à spe conuadorum ducitur	

ii) Potestas constat circumstantiis	a) Loco	ii) Potestas
	b) Tempore	
	c) Viribus: Idem sunt loci defensoris	
	d) Signis	
	e) Antecedentibus	

f) Consequentibus

— Defensor tamen addet { Absolutionem, cum docemus id signum quod factum est, misericordia et humanitate factum esse
Inversionem, qua docemus quod contra nos producitur, pro nobis facere

2. DE JURIDICALI, JURE AN INJURIA.

Juridicalis partibus constat quatuor, scilicet { Exordio
Narratione
Confirmatione, cuius proprii sunt loci
Peroratione

— Est autem duplex status negotialis { i Absolutus
ii Assumptivus

i Cujus loci sunt { Natura
L
Consuetudo
Aliquam
Bonum
Judicatum
Pactum

ii Assumptivus cum assumpta re extranea, defensio tractatur

Eius loci sunt. { a) Concessio
b) Translatio criminis.
c) Remotio

a) Concessionis partes { Purgatio, cum fatemur nos pecasse, sed per imprudentiam aut casum
Deprecatio

3. DE STATU LEGITIMO. QUID SIT.

Legitimus status constat partibus quatuor { Definitione
Contrariis legibus
Ambiguis scriptis
Ratiocinatione

[Title page of the first edition.]

The Arte
or Crafte of
Rhethoryke



THE [ARTE] | OR CRAFTE OF | RHETHO- | RYKE.

[A ii a] ¶ To the reuerend father in god and hys singuler good lorde the lorde Hughe Faryngton Abbot of Redyng his pore clent & perpetual seruant Leonarde Cox¹ defyrethe longe and prosperouse lyfe with encrease of honour.

Consyderyng my specyall good lorde howe greatly and how many wayes I am bounden to your lordeshippe. And among all other that in so greate a nombre of cunnyng men whiche ar nowe within this region / it hathe pleaseid your goodnes to accept me as worthy to² haue the charge of the instruccyon³ and bryngyng uppe⁴ of suche youthe as⁵ ressorteth to your gramer schole, founed by your antecessours in thys your towne of Redyng. / I studied a longe spacc what thynge I myght do next the busy and dylgent occupyeng of my selfe in your faide seruycē / to the whiche bothe consciens & your stepend⁶ doth streyghtly⁷ bynde me, that myght be a fygnfyacion⁸ of my faythfull and seruisable harte whiche I owe to your lordefhyppe / and agayne a longe memorye bothe of your synguler and benefycyall [A ii b] fauore towarde me: And of myne industrie and dylgence employed in your seruycē to some profyte or at the leste way to some delectacion of the inhabytantes of this noble realme nowe floryfhyng⁹ vnder the most excellent and victorlouse prynce our Souerayne Lorde kynge Henry the .viii.

¶ And when I hade thus longe prepensyd in my mynde what thynge I myght beste chose out / none offredē it selfe more conuenient to the profyte of yonge studentes,¹⁰ whiche youre good lordefhyppe hathe allwayes tenderly fauored / and also meter to my professyon, then to make some proper worke of the ryght pleasaunt and parsiuadible¹¹ arte of Rhetoryke / whiche as it is very necessary to all suche as wyll eyther be aduocates and proctoures in the lawe, or els apte to be sente in theyr prynces / Ambassades / or to be

¹ B. Cockes.

⁶ B. stipende.

² B. for to.

⁷ B. straytly.

³ B. instruction.

⁸ B. floryfhyng.

⁴ B. vp.

⁹ B. studentes.

⁵ Defective in A., perhaps yt (=that). B. as. ¹⁰ B. perfaudible.

techars¹ of goddes worde in suche maner as maye be moiste sensible and accepte to their audience: And finally to all them that² haue³ any thynge to prepose⁴ or to speke afore any companye, what fomeuer they be. So contraryly I se no scyence that is les⁵ taught and declared to scholars⁶ / whiche ought chyefly after the knowledge of gramer ones hade to be instructe in thys facultie without the whiche often tymes the rude vtterance of [A. iii a] the aduocate greatly hyndrethe and apeyreth his clyentes cause. Lykewyse the vnapte dysposycyon of the precher in orderynge his mater confundyth⁷ the memory of hys herers. And bryefly in declarynge of maters, for lake⁸ of inuencyon and order with due elocucyon⁹, greate tediosnes¹⁰ is engendred to the multytude beyng present / by occasyon where of the speker is many tymes or¹¹ he haue endyd his tale eyther lefte almost alone¹² to hys no lytle confusyon, or els (whiche is a lyke rebuke to hym) the audyence falleth for werynes of hys ineloquent langlege¹³ faste on slepe. ¶ Wyllynge therfore for my parte to helpe suche as ar desyrous of this arte (as all surely ought to be whiche entende to be regarded in any comynaltye) I haue partly traunflatyd¹⁴ out of a werke of Rhethoryke wrytten in the lattyn¹⁵ tongue, and partly compyled of myne owne, & so made a lytle treatise in maner of an Introduccyon into this aforesaid scyence, and that in the¹⁶ englysshē tongue. Remembryng that euery goode thynge, after the sayenge of the Phylosopher, the more commune¹⁷ that it is the better¹⁸ it is. And further more trustyng therby to do some pleasure and easē to suche as haue by neclygence¹⁹ or els false parfusayons²⁰ be put to the lernynge of other scyences or euer [A. iii. b] they haue attayned any meane knowledge of the latyne tonge.²¹

¹ B. techers.

¹² B. language.

² B. hauyng.

¹³ B. translated.

³ B. purpose.

¹⁴ B. Latin.

⁴ B. leffe.

¹⁵ B. in our Englysshē.

⁵ B. Scolers.

¹⁶ B. comon.

⁶ B. confoundeth.

¹⁷ B. the more better.

⁷ B. lacke.

¹⁸ B. negligence.

⁸ B. tediousnes.

¹⁹ B. fals persuasions.

⁹ B. ere.

²⁰ B. Latin tongē.

¹⁰ B. aloon.

¶ Whyche my sayde labour I humbly offer to your good lordefhyppe as to the chyefe mayntener and norisffher of my stody¹ besechyng you, though it be ferre within your merytes² done to me, to accepte it as the fyrste assay of my pore and symple wyt; which if it maye fyrst please your lordefhyppe, and next the reders, I truste by the ayde of almyghty god to endight³ other werkes both in this faculte and other to the laude of the hyghe godhed, of whom all goodnes doth procede, and to your lordefhyppe's pleasure, and to profyte and delectacyon of the reders.

[A. iiiii. a] ¶ The arte or crafte of Rhethoryke.

Whosomeuer defyreth to be a good oratour or to dyspute and commune of any maner thynge / hym behoueth to haue foure thynges. The fyrste is called Inuencyon, for he muste fyrste of al, imagyne or inuent in his mynde what he shall saye. The .ii.⁴ is named iudgement / for he muste haue wyt to discerne and iudge whether tho thinges that he hathe founde in his mynde be conuenient to the purpose or nat / for often tymes yf a man lackes⁵ thys proprie⁶ he may aswell tell that that is agaynst hym / as with hym / as experiance doth dayly shew. The .iii.⁷ is dysposycyon wherby he maye knowe howe to ordre and set euery thynge in his due place. Leste thoughe his inuencyon and iudgement be never so goode he maye happen to be counted as the commune prouerbe sayeht To put the carte afore the horse. The .iiii.⁸ & is such thynges laste as [sic] he hathe Inuentid and by iudgement knownen apte to his purpose when they ar set in theyr ordre so to speke them that it maye be pleasant and delectable to the audience. So that it maye be sayde of hym that historyes make mencion that an olde woman fayd ons by demosthenes and [A. iiiii. b] syns hathe bene a commune prouerbe amonge the grekes *οὐραὶ εστι*⁹ whiche is asmoch to faye as (This is he). And this laste proprie⁶ is callyd amonge lernyd men eloquence. Of these .iiii.⁹ the most difficile or harde is to inuente what thou muste faye, wher-

¹ B. study.

⁶ B. property.

² B. merites.

⁷ B. thyrde.

³ B. endyte.

⁸ The Greek first appears in B.

⁴ B. seconde.

⁹ B. foure.

⁵ B. lacke.

fore of this parte the Rhetoryciens whiche be maysters of this arte haue written very moche and diligently.

Inuencyon is comprehended in certayn placys / as the Rhetori- ciens call them / out of whom he that knoweth the faculte may fetche easly fuche thynges as be mete for the mater that he shal speke of / which mater the Oratour calleth the theme and in oure vulgayre tonge it is callyd improporely the antytheme.¹ The theme proposed² we muste after the rules of Rhetoryke go to oure placys that shal anone shew vnto vs what shalbe to oure purpose.

Example. In olde tyme there was grete enuy betweene ii. noble men of Roine of whome the one was callyd Mylo / and the other Clodius. The³ which malice grew so ferre that Clodius layed wayte for Mylo on a season when he shulde ryde out of the cyte / and in his iournay set vpon him and there as it chansyd⁴ Clodius was slayne / where vpon thys Clodius frendes accused Milo to the Senate of murdre. Tully whiche in [A v a] tho dayes was a grete aduocate in Rome shulde plede Miloes caufe. Nowe it was opyn that Milo had slayne Clodius / but whether he had slaine him laufully or nat was the doute. So then the theme of Tullyes oracyon or plee for Milo was thys, that he had slayne Clodius laufully / and therfore he ought nat to be punisched. For the confirniacyon wherof (as dothe appere in Tullyes oracyon) he dyd brynge out of placis of Rhetoryke argumentes to proue his sayde theme or purpose. And lykewyse muste we do when we haue any mater to speke or commune of. As yf I shulde make an oracyon to the laude and prayse of the kynges hyghnesse / I muste for the Inuencyon of fuche thynges as be for my purpose / go to places of Rhetoryke / where I shal easly fynde (after I knowe the rules) / that that I desyre. Here is to be noted that there is no theme but it is contelned vnder one of .iiii.⁵ caufis / or for the more playnes⁶ .iiii.⁶ kyndes of oracions. The fyrsfe is callyd Logycall, whiche kynde we call properly dis'putacion. The secunde is callid Demonstratyue. The thyrde Delyberatyue. The .iiii.⁷ Judiciall / and these thre laste be properly callid species⁸ or kindes of oracions / whose natures shalbe declarid seperatly here after with the crafte that is required i[n] euery [A v b] of them.

¹ B. Anthethem.

⁵ B. playnnes.

² B. purposed.

⁶ B. foure.

³ B. omits The.

⁷ B. fourth.

⁴ B. chaunced.

⁸ B. splices.

All themes that parteyne to Logike eyther they be Symple or compounde. As yf a man desyre to knowe of me what Justice is / this only thyng Justice is my theme / Or yf disputacyon be had in any¹ company vpon Relygion / and I wold declare the very nature of Religion my theme shulde be thys symple or one thyng Relygion. But yf it be doubted whether Justice be a vertue or nat / and I wolde proue the part affymatyue / my theme were now compounde / that is to say / Justice is a vertue. For it is made of .ii.² thynges knyte or vnied togither / Justice and vertu. Here must be noted that Logike is a playne and a sure way to instructe a man of the trouth of euery thyng. And that in it the nature, causes, partis, and effectes of thinges ar by certayne rules discussid and serched out / So that nothinge can be perfectly and propryely knownen but by rules of Logike[,] whiche is nothyng but an obseruacyon or a diligent markynge of nature / wherby in euery thyng mannes reason dothe consider what is fyrite / what laste / what propre / what improprie.

The places or instrumentes of a symple theme ar.

The definicion of the thyng. The partes.

The causes. The effectes.

Example. If thou inquyre what thyng [A. vi a] Justyce is / Wheroft it cometh / what partes it hathe / and what is the offyce or effecte of euery parte / then haste thou diligently serched out the whole nature of Justice. And handelyd thy symple theme accordyng to the preceptes of Logeciens / To whome oure author leuith fuche maters to be discussyd of them. Howe be it somewhat the Rhetoriciens haue to do with the symple theme / and as moch as shalbe for theyr entent we wyl shew hereafter. For many tymes the orator must vse bothe diffinicions and diuisions. But as they be in Logyke playne and compendious / So are they in Rhetorike extendid & paynted with many fygures and ornamente longyng³ to the science. Neuertheles to satisfie the reders mynde and to alleuiate the tediouines of serchinge these places I wyll opyn the maner and fasshion of the handilyng of the theme afore sayd as playnely as I can after the preceptes of Logike / ¶ fyrist to serche out the perfyght knowlege of Justyce I go to my fyrist place definicion / And fetche from Aristotle in his ethiks the definicion

¹ B. omits any.

² B. two.

³ B. belongyng.

of Justyce whiche is this / Justyce is a morall vertue whereby men be the workers of ryghtful thynges¹ / that is to say / wherby they both loue & also do such things as be Juste. Thys done I serche the cause of [A vi b] Justyce that is to saye from whens it toke the fyrist begynning and bycause that it is a morall vertue and Plato in the ende of his dialogue Menon concludeth that all vertue commyth of god I am assured that god is the chefe cause of Justice declaring it to the worlde by his instrument mannes wyt whiche the same Plato affyrmythe in the begynning of his lawes. The definicyon and cause had [,] I come to the thyrde place callid partes to knowe whether ther be but one kynde of Justyce or els many. And for thys purpose I fynde that Aristotele in the .v.² of his ethikes deuideth Justice in .ii.³ species or kyndes/one that he calleth iustice legitimie or legall / and⁴ an other whyche he called equyte. Justyce legall / is that / that confisteth in the superyours whiche haue power to make or statute lawes to the inferiours / and the offyce or ende of thys Justyce is to make suche lawes as be bothe good and accordynge to ryght and conscience / and then to declare them / and when they are made and publyshed as they ought to be / to se that they be put in vre. For what auayleth it to make neuér so good lawes if they be nat obseruyd and kepte.

And fynally that the maker of the lawe apply his hole studye and mynde to the welth of his subiectes and to the commune [A viii a] profyte of them. The other kynde of Justice whiche men call equite is wherby a man nother⁵ taketh nother⁶ giueth / les nor more then he ought / but in gyuyng taketh good hede that euery man haue accordyng as he deseruith : This equite⁷ is agayne diuided into equite distributyue of commune thynges & equite Commutatyue / ¶ By equite distributyue is distributyd & gyuen of Commune goodes to euery man accordyng to his deseruinges & as he is worthy to haue. As to deuyde amonges suche as longe to the churche of the churche goodes after the qualyte of theyr merytes, and to them that be cyuyle⁸ persones of the commune tresour of the cyte accordynge as they are worthy. In this parte is comprehendyd the punyshment of myndoers and transigrefours of

¹ B. thynges.

⁵ B. neyther.

² B. fyfte.

⁶ B. nor.

³ B. two.

⁷ B. Equitie.

⁴ B. omits and.

⁸ B. to them beyng Cvil.

the lawe / to whome correccioⁿ muste be distrybuted for the commune wele accordyng to theyr demerytes after the prescrypes of the lawes of the contrey made and determinyd for the punyfement of any maner¹ transgreffour. Equite commutatyue is a iuste maner in the chaungyng of thynges from one to another whose offyce or effecte is to kepe iuste dealynge in equite, as byenge / sellynge, and all other bargaines lauful / ¶ And so are here with the species of Justyce declared theyr offices / which was the fourth & last place.² Oure auctour [A vii b] also in a grete werke that he hath made vpon Rhetoryke declareth the handelyng of a theme syngle by the same example of Justice, addynge .ii. places mo, whiche ar callyd affynes³ and contraries on this maner.

What is Justice? A uertu wherby to euery thyng is gyuen that that to it belongeth. / ¶ What is the cause therof? mannes wyll consenting with lawes and maneres / ¶ how many kyndes? .ii.⁴ whiche? Commutatyue and distributyue / For in .ii.⁵ maneres is our medlyng with other men other⁶ in thynges of our substanse and wares, or in gentyll and cyuyle conuersacyon.

What thyng is Justyce commutatyue? Ryght and equite in all contractes.

What is Justyce distributyue? Justyce of cyuyle lyuynge. How manyfolde is Justice dytributyue? Eyther yt is commune/ or pryuate. The commune is callyd in latin pietas / but in englyshe it may be moste properly namyd goode ordre, whiche is the coroun⁷ of all vertues conseruynge honeste & cyuyle conuersacion of men togyther / as the hedges with the meane comynalte in good vnite & concorde. Priuate or seueral / iustice distributyue is honeste & anyable frendeshype / and conuersacyon of neyghbours.

What are the offyces? To do for euery man ryche or pore of what someuer state [A viii a] he be⁸ and for our contrey / for our wyues, chyldryn, and frendes, that that ought to be done for euery of them.

Affynes or vertues nyghe to Justyce are Constancie / Lyberalyte / Temperaunce /. Thynges contrary ar fere / couutyse / prodigalye. And this is the maner of handelyng of a simble theme dialectual.⁹

¹ B. inserts of.

⁵ B. eyther.

² Last nine words added from B.

⁶ B. crowne.

³ B. affines.

⁷ B. of what estate so euer he be.

⁴ B. two.

⁸ B. dialectyall.

But yet let not the reder deceyue hym selfe / and thynke that the very perfyght knowlege is² shewyd hym³ here / what³ hath bene shewyd now is some what generall and brefe.

More sure and exacte knowledge is conteyned in Logyke / to whome I wyll aduise them that be studyouse to resorte and to fetche euery thyng in his one proper faculte.⁴

¶ Of a Theme compounde.

Euery theme compounde eyther it is prouyd true or false. Nowe whether thou wylt proue or improue any thinge it muste be done by argument. And any theme compounde be it Logycall or Rhetorycall / it muste be referryd to the rules of Logyke by them to be prouyd true or false. For thys is the dyfference that is betwene these two sciencis / that the Logycyan in disputynge obseruythe certayne rules for the settynge of his words [,] beyng folycytous that ther be spokyn no more nor no les then the thyng requirith / and that [A viii b] it be euuen as playnly spokēn as it is thought. But the Rhetorician seketh abought and boroweth when he can alsmuche as he may for to make the symple and playne Logycall argumentes gay and delectable to the aere.⁵ so then the sure Judgement of argumentes or reas ons muste be lernyd of the Logycyan but the crafte to set them out with plesaunte fygures and to⁶ delate the matter longith⁷ to the Rhetorician / as in Myloes cause of⁸ whom was made mencyon afore.

¶ A logician wolde bryefly argue / who so euer violently wyll flee an other / may lawfully of the other be flayne in his defence. Clodius wolde vyoently haue flayn Milo / wherfore Clodius might lawfully be flayne of Milo in Milous owne defence. And this argument the logiciens call a Sillogisfrē in Darii / which Tully in his oracion extendeth that in foure or fyue leues it is scant made an end of / nor no man can haue knowlege whether Tullies argument that he maketh in his oracyon for Milo / be a goode argument or nat / and howe it holdeth / excepte he can by Logyke reduce it to the

¹ A. reads it.

⁵ B. eare.

² B. inserts all after hym.

⁶ B. supplies to.

³ B. And that whiche hath ben.

⁷ B. belongeth.

⁴ B. proper facultie.

⁸ B. supplies of.

perfecte and briefe forme of a Sillogisme / takynge in the meane season of the Rhetorycians what ornamente have bene cast fo' for to lyght and augment the oracyon / and to gyue it a maiestie.

[B i a] ¶ The places out of whome are founde argumentes for the prouinge or improuynge of compounde Themes / are these followinge

Diffinicion.

Cause.

Partes.

Lyke.

Contrary.

Of the places of argumentes shalbe spoken hereafter. For as touchynge them in all thynges the Rhetorician and Logycian do agre. But as concernyng the crafte to fourme argumentes whan thou hast founde them in theyr places / that must be lerned of the Logician / where he treateth of the fourme of Sellogismes / Enthimenes and Inductions.

Of an oracion demonstratiue.

The use of an oracyon demonstratiue is in prayse or dyspraise / whiche kynde or maner of oracyon was greatly vied somtyme in comon accyons / as dothe declare the oracyons of Demosthenes / and also many of Thucidides oracions. And there ben thre maners of oracions demonstratyue.

The fyrit conteyneth the prayse or dyspraise of persones. As yf a man wolde prayse the kynges hyghnes or / dyspraise some yl persone / it must be done by an oracyon demonstratyue. The secunde kynde [B i b] of an oracyon demonstratyue is: wherin is praysed or dispraised / nat the person but the dede. As yf a thefe put hymselfe in ieopardy for the safegarde of a true man / agaynst other theues and murderers / the person can nat be praysed for his vicious luyng, but yet the dede is worthy to be commended. Or if one shulde speake of Peters denyenge of Christe / he hath nothyng to dyspraise the person saue onely for this dede. The thyrde kynde is: wherin is lauded or blamed nother person nor dede / but some other thyng as vertue / vice / iustice / iniurie / charite / enuie / pacience / wrothe and fuche lyke.

*B. to.

Partes of an Oracion.

The partes of an oracion prescribed of Rhetoriciens are these.

The Preamble or exorden.

The Tale or narracion.

The prouinge of the matter or contencion.

The conclusion.

Of the whiche partes mencyon shall be made hereafter in euery kynde of oracions, for they are nat founde generally in euery oracion / but some haue moo partes / and some lesse.

Of the Preamble.

[B ii a] Generally the Preamble nat alonly in an oracion demonstratiue / but also in the other two is conteyned and must be fetched out of thre places / that is to say of beneuolence / attention / & to make the mater easy to be knownen / whiche the Rhetoricians call Docilite.

Beneuolence is the place whereby the herer is made willyng to here vs / and it is conteyned in the thynge that we speke of / in them whom we speke to / & in our owne person. The easyeſt and moſte vſed place of beneuolence conſyſteth in the offyce or duety of the person / whan we ſhew that it is oure duety to do that we be aboue.

Out of this place is ſet the preamble of ſaint Gregory Nazene / made to the prayſe of ſaint Basyl / where he ſayth that it is his duety to prayſe ſaint Basyll for thre cauſes. For the grate loue and frenchedſhype that hath ben always betwene them / and agayne for the remembraunce of the moſte fayre and excellent vertues that were in hym / and thyrdely that the churche myght haue an example of a good & holy Byffhop. ¶ Trewly by our authours lycence me thynketh that in the preamble Nazazen doth nat only take beneuolence out of the places of his owne person / but alſo oute of the other two / whan he ſheweth the cauſe [B ii b] of hys duetye / for in prayſyng hys frende he dyd but his duetye. In prayſyng his vertues / he cam to the place of beneuolence of hym that he ſpake of / as touchyng the example that the churche ſhulde haue / it was for theyr profyte / and concernyng the place of beneuolence / taken of them that he ſpake to. But our authour regarded chyefly the

B. place.

principall propoſycon / which was that faynt Gregory Nazazene was bounde to prayſe faynt Basyll.

A lyke example of beneuolence taken out of the place of ofyce or duety / is in the oracyon that Tully made for the Poet Archyas / whiche begynneth thus :

My lordes that be here iuges / yf there be in me any wyt / whiche I know is but finall / or yf I haue any crafty vſe of makynge an oracion / wherin I deny nat but that I haue metely exercized my ſelfe, or yf any helpe to that ſcience commeth out of other lyberall artes / in whome I haue occupied all my lyfe / surely I am bounde to no man more for them than to Archyas / which may lawfully if I may do any man any profyte by them / chalenge a chyefe porcyon for hym therin.

Out of this place dyd this faine Tully fetche the begynnynge of his fyſte epiftle / in whome he wrytethe to one Lentule on [B iii a] thys maner: I do ſo my duety in all poyntes to warde you / and ſo great is the loue and reuerence that I bere vnto you that all other men ſaye that I can do no more / and yet me ſemeth that I haue neuer don that that I am bounde to do / eyther to you or in your cauſe.

We may alſo get beneuolence by reaſon of them / whome we make our oracion of: As yf we ſaye that we can neuer prayſe hym to hyghly / but that he is worthy moche more lande and prayſe. And ſo taketh fainſt Nazazene¹ beneuolence in his ſayde oracion for faynt Basile.

Also of them afore whome we ſpeke / as if we ſay / it is for theyr profyte to laude or prayſe the person. And that we knowe very well howe moche they haue alwayes loued hym / and that he ought therfore to be prayfed the more for theyr ſakes. The maner is alſo to get vs beneuolence in the preface of our oracyon / by pynchynge and blamynge of our aduerſarie. As doth Tully in the oracion that he made for one Aulus Cecinna / wherin he begynneth hys proeme thus. If temerie² and lake of shame coulde as moch preuaile in plees aforc the iuſtices / as dothe audacite and temerarious boldeſſe in the feldes & deferte places / there were no remedie but euē ſo muſte [B iii b] Aulus Cecina be ouer come in this matter by Sextus Ebucius impudence / as he was in the felde ouercome by his

¹ B. Nazianzene.

² B. temerite.

infidious audacite. And these be the commune formes of beneno-
lence.

A man may also fetche his *proheme*¹ out of the nature of the place wher he speketh / as Tullye dothe in the oracyon made for Pompeius for the sendyng of hym unto Asie agaynst kynge Mithri-
dates of Pontus / and kynge Tigranes of Armenie on this maner: howe be it my lordes & maisters of this noble cite of Rome / I haue
al tymes thought it a synguler reioyse to me if I myght ones se you
gadred to gyther in a company / to here some publique oracion of
myne / and agayne I iuged no place to be so ample and so honour-
able to speke in as thys is. &c.

Or he maye begyn at the nature of the tyme that is then / or at
some other cyrcumstaunce of his mater / as Tully taketh the begyn-
nyngne of his oracion for Celius at the tyme / this wyse.

If so be it my lordes judges any man be nowe present here that
is ignorant of your lawes / of youre processe in iugementes & of your
customes / surely he may well maruell what so heynous a mater this
shulde be / that it onely shulde be syt vpon in an [B iiiii a] hygh
feaste day / whan all the comonaltye after theyr olde custome are
gyuen to the figh of playes / ordeined after a perpetual vsage for the
nones for them / all maters of the law layd for the tyme yterly a part.

He began also an other oracion for one Sextus Roscius / out of
the daunger of the season that he spake in.

One may bifyde these vse other maner of prohemes / whiche
bycause they are nat fet out of the very mater it selfe / or els the
circumstaunces / as in these aforsayd they are called peregrine or
straunge prohemes. And they be taken out of sentences / solempne
peticions / maners or customes / lawes / statutes of nacions & con-
treys. And on thys maner dothe Aristides begyn his oracion made
to the prayle of Rome.

Demosthenes in his oracyon made agaynst Eschines / toke his
preface out of a solempne petycyon / besechyngē the goddes that
he myght haue as goode fauour in that cause / as he had founde in
all other maters that he had done afore for the comon welthe.

In lyke maner begynneth Tully the oracion that he made for
one Murēna / & also the oracyon that he made vnto the Ronaynes
after his retourne from exyle.

¹ B. proeme.

He begynnethe also another oracyon / [B iii 1 b] whiche he made as touchyng a lawe decreed for the diuision of feldes amoung the comunes out of a custome amoung them / on this wyfe.

The maner and custome of our olde faders of Rome hathe bene. &c. And this is the maner of prefaces in any oracyon / whiche is also obserued in the makinge of epyftles / howe be it there is farre lesse crafte in them than is in an oracyon.

There is yet an other fourme & maner to begyn by insinuacion / wherfore it behoueth to knowe that insinuacion is / whan in the begynnyng / yf the mater seme nat laudable or honest / we find an excuse therfore.

Example / Homere in his Iliade describith one Therstes / that he was moiste foule and euyll fauored of all the Grekes that came to the batayle of Troye / for he was both google eyed / and laine on the one legge / with crooked and penched shulders / and a longe pyked hede / balde in very many places. And besyde these fautes he was a great folyshe babler / and ryght foule mouthed / and ful of debate and stryfe / carrynge alwayes agaynst the heddes and wyse men of the armye.

Nowe if one wolde take vpon hym to make an oracion to the prayse of [t]his losel / whiche mater is of litle honesty in it selfe / [B v a] he must vse in stede of a preface an insinuacion. That what thynge poetes or commune faine doth eyther prayse or dispraise ought nat to be gyuen credence to / but rather to be suspecte. For ones it is the nature of poetes to fayne and lye / as bothe Homere and Virgile / which are the princes and heddes of al poetes do witnessis them selfe. Of whome Homere sayth / that poetes make many lies / and Virgile he sayth The moiste part of the sene is but deceyte. Poetes haue sene blake soules vnder the erthe / poetes haue fayned and made many lies of the pale kyngdome of Plato¹ / and of the water of Stegie / and of dogges in hell. And agayne commune rumours howe often they ben vayne / it is so open that it nede nat to be declared. wherfore his trust is that the hearers wyl more regarde his fayne then² fayned fables of poetes / and fleyng tales of lyght fokes / whiche ar for the more parte the grounders of fame and rumours.

¹ Sic for Pluto in both A and B.

² B. than.

An example may be fet out of the declamacion that Erasmus made to the prayse of folys'henes.

An other example hath the same Erasmus in his seconde boke of Copia / whiche is this. Plato in the fyfte dialogue of his communallitie wyllethe that no man shall [B v b] haue no wyfe of hys owne/ but that every woman shalbe commune to euery man. If any man than wolde eyther prayse or defende this mynde of Plato / which is both contrarie to Christes religion and to the commune luyngre of men / he myght as Erasmus teacheth / begynne thus.

I knowe very well that this matter whiche I haue determinyned to speake of / wyll seeme vnto you at the fyrste herynge / nat onely very straunge / but also right abhominable. But that nat withstandyng / yf it wyll please you a litle while to deferre your iudgement till ye haue herde the summe of suche reasons as I wyll bryngre forthe in the cause / I doubte nothyng but that I shal make the trouthe so euydent that you all wyll with one assent approue it / & knowlege that ye haue been hyther to maruelouslly deceyued in your oppynyon / and sondelie to alleuiate your myndes / ye shal vnderstande that I am nat my selfe authour of the thynge / but it is the mynde & sayngre of the excellent & mooste hyghly named philosopher Plato / whiche was vndoubtedlly famouse a clerke / so defrete a man / and so vertuous in al his dedes / that ye may be sure he wold speke nothyng but it were on ryght perfite grounde / and that the thynge were of it selfe very expedient / [B v l a] though he peraduenture it shewe fer otherwyse at the fyrste herynge.

In all prefaces or preambules muste be good hede taken that they be not to fer fet nor to longe.

These affectuous wordes / I reioyce / I am sory / I maruayle / I am glad for your sake / I desyre / I fere / I pray god / and suche other lyke be very apte for a preface.

Of the seconde place of a preface called Attencyon.

The herers shalbe made attente or dyligente to gyue audyence yf the oratour made * promyse that he wyll shewe them newe thynghes / or els necessary or profitable / or yf he saye that it ys an harde mater that he bathe in handelynge or els obscure and nat easi to be vnderstoode* excepte they gyue ryght good attendaunce, wherfore

* B. make.

* B. understand.

it is expedient that yf they wyll haue the percepcyon of it, that they gyue a good eare. But as concernyng the newnes or profyte of the matter it makythe nat all onely the herar to gyue a good eare (whiche thinge is callyd attencion) but also it maketh him well wylyng to* be presente whiche is beneuolence.

Docilite.

[B vi b] Docilitē whereby we make the mater playne and easi to be percyued / is nat greatly required in this kinde of oracyon / for it is belonginge properly to derke and obscure caufes / in whiche we muste promyse that we wyll nat vse great ambages / or to go (as men saye) rounde about the buffh / but to be short and plaine.

Of narration whiche is the seconde parte of an oracion.

The Narracion or tale wherin persones are prayded / is the declarynge of theyr lyfe and doynges after the fasshyon of an hystorye. The places out of the whiche it is sought are: The persones byrthe. His chyldhode. His adolescencie. His mannes state. His olde age. His deth and what foloweth after.

In his byrthe is confydered of what stocke he came / what chaunsed at the tyme of his natiuite or nigh vpon / as³ in the natiuite of Chryste Sheperherdes harde angelles synge.

In his chyldhode are marked his bryngynge vp & tokens of wysdome commynge: As Horace⁴ in his furthe⁴ Satire sheweth / howe in his chyldhode his father taught hym by examples of suche as were than lyuyng to flee from vice and to gyue hymselfe to vertue.

[B vii a] In adolescencie is confydered where to he than gyueth hym selfe. As in the fyrist comedie of Terence one Simo telleth his seruaunt Sofia / that thoughte all yonge men for the more parte gyue them selfe to some peculiare thyngē / wherin they sette theyr cheife delyght / as some to haue goodly horses / some to cheryssh the houndes for huntyng / & some are gyuen onely to theyr bokes / his sonne Panphilus loued none of these more one than an other / and yet in all these he exercised hym selfe mesurably.

In mannes state and olde age is noted what office or rule he bare among his citisens / or in his contrey / what actes he dyd /

¹ B. it omitted.

³ As inserted from B.

² B. for to.

⁴ B. fourthe.

howe he gouerned suche as were vnder him[,] howe he prospered / & what fortune he had in suche thynges as he went about. Example here of is in Saluste / whiche compareth together Cato and Cesar / sayeng that bothe theyr stocke / age and eloquence were almoste lyke and egall / theyr excellencie² and greatnes of spirite and wytte was also lyke and egal / and lyke fame and worshyppe had they bothe attayned howe be it nat by a lyke waye. Cesar was had in great estymacyon for his benefites and liberalyte. Cato had gotten hym a name for his perfyght & vpright lyuynge. Cesar was praysed for his gentilnes and pitie. Cato was [B vii b] honored for his ernestnes and surete.

The tother wanne moche bruyt by gyuynge large gystes / by helpyngre suche as were in dystresse, and by forgiuyng of trespasses done agaynst hym. Catous fame dyd [sp.] rede be canse he wold neither be forgyuen of none offence / neither forgiue non other / but as any man had deserued / so to cause hym to be delt with. In the one was great refuge to suche as were in myserie: In the other was sore. punyfement and pernicion to mysdoers and enyl transgressours of the law. Briefly to conclude it was al Ceazars mynde and pleasure to labour diligently nyght and daye in his frendles causes / to care lesse for his owne busynes than theyrs / to deny no thyng that was worthy to be asked / his desyre was euermore to be in werre / to haue a great hoost of men vnder his gouernance / that by his noble and hardy sayctes his valyantnes myght be the more knownen & spred abrod. Contraryly all Catous study was on temperaunce / and to do in no maner otherwyse than was conuenient & fettynge³ for suche a man as he was / and chiefly he sette his mynde to seuerety[.] he neuer made no comparison with the riche man in richesse / nor with the myghty man in power. But yf nede required / with the hardy man in boldnes / [B viii a] with the temperate in moderacyon / with the good man in innocency & iust dealing. He cared nat for the name / it was sufficient to hym to haue the dede / & so / the lesse he cared for gloriye / the more alwayes he opteyned. Many suche comparysons very profitable for this intent / are also in Plutarche in his boke of noble mennes lyues.

A goodly ensamble¹ of this place is in the oracyon that Hermolaus

¹ From B. In A. excellent.

² B. fyttynge.

³ B. ensamble.

Barbarus made to the emperour Frederike and Maximilian his son / whiche for bicause it is so long I let it passe. A lyke ensaunce is in Tullyes oracyon / that he made to the people of Rome for Pompeyus / to be sent agaynst Mythrydates.

Some there be that deuide the landes¹ of persons into thre kyndes of goodes begynnynge the narration at them / whiche thynge our anthon dothe not greatly commende / but rather in rehersyng of any persons dedes / yf theyr can nat be kept an order of historie / and many thynge must be spoken. It were after his mynde beste to touche fyrst his actes done by prudence / & nexte by iustice / thyrdely by fortitude² of the mynde / and last by temperaunce / and so to gather the narration out of this foure cardinall vertues. As if one shuld prayse saint Austen / after that he hath spoken³ of his parentele [B viii b] and bryngynge vp in youth / and is come to the rehersall of his actes / they may be conueniently distributed into the places of vertues. On this maner dyd Tully prayse Ponippey.

I suppose (sayeth he) that in hym that shulde be a hed capitayne ouer a great army ought to be four thynge. Knowlege of warre / valiantnes / auctoritle / & felicitie.

Here is to be noted that in rehersyng any persones actes / we may haue our chiefe respecte to some peculiare and pryncypall vertue in hym / enlargynge and exaltinge it by amplificacion in maner of a digressiō.

Our anthon in this worke maketh no mencyon of the laste place that is deathe and suche thynge as folowe after / but in an other greater worke he declareth it thus briefly. The deth of the persone hathe also his prayses / as of suche whiche haue ben slayne for the defence of theyr contrey or prynce.

A very goodly ensaunce for the handelynge of this place is in an epistle that Angele Policiane writeth in his fourth boke of epistels to James Antiquarie of Laurence Medices / howe wyse and devoutly he dysposed hym selfe in his deth bed / and of his departynge / and what chaunsed at that tyme.

[C i a] And so to conclude [,] an oracion Demonstratiue / wherein persones are lauded / is an historycall expofycyon of all his lyfe in order. And there is no difference betweene this kynde and

¹ *Sic, for laudes, in both A and B.*

² *From B; A. fortuna. "Fortitudinis" in Mel.*

an history / saue that in histories we be more briefe and vse leffe curiositie. Here all thynges be augmented and coloured with as much ornamente of eloquence as can be had.

Confirmacion of our purpose / and confutynge or reprouyng of the contrarye / whiche are the partes of contencyon / are not requy-
site in this kynde of oracyon / for here are nat treated any doubt-
ful maters to whom contencyon perteynethe. Neuer the leffe /
somtyme it happenethe (howe be it it is seldome) *that* a doublt may
come / which must be either defended / or at *the leffe*¹ excused.

Example.

The frenche men in olde tyme made myghty warre agaynst *the* Romaynes and so sore besyged them that they were by compulcyon constrainyd to fal to composycyon with the frenche men for an huge summe of golde / to be payed to them for the breakyng of the syege / but beyng in this extreme myfery / they sent for one Camyllus / whome nat very longe afore they had banyshed out of the citie / and in his absence made hym dictatour / whiche [C i b] was the chyefest dignitie amon ge the Romaynes / and of so great auctoritie / that for the space of thre monethes / for so longe dured the offyce most conueniently / he myght do all thynges at his pleasure / whether it concerned dethe or no / for no man so hardy ones to say nay agaynst any thynges that he dyd / so that for the space he was as a kyng / hauyng al in his owne mere power.

Nowe it chaunced that while this summe was in payenge / & nat fully wayed / Camillus of whome I sayd afore / that beyng in exile he was made dictatour / came with an army / and anone had seafe of the payment / and that eche party shulde make redy to batyle² / and so he vainquished the frenche men.

Nowe yf one shulde prayse hym of his noble faytes / it shulde seeme that this was done contrary to the lawe of armes / to defayt the frenche men of the raunsum due to them / syms the compacte was made afore, wherfore it is necessary for the oratour to defende this dede / and to proue that he dyd nothyng contrary to equitie. For *the* whiche purpose he hath³ two places. One apparent / whiche is a common sayenge vsurped of the poete *Dalus an viris quis in*

¹ B. lefft.

² B. bataile.

ostē requirat. That is to say who wyl ferche whether the dede of enemy agaynt enemy be [C ii a] either gyle or pure valyantnes? But for that in warre lawe is as well to be kept as in other thynges. This sayeng is but of a feble grounde. The other is of a more stronge assuraunce / whiche Titus Liuius writeth in his fyfte boke from the buyldynge of Rome / where he reherceth this hystory nowe myncyoned / and that answere is this that the compacte was made to paye the foresyd raunsome after that Camillus was created dictatour / at what tyme it was nat lawfull that they whiche were of ferre leffe auctoritie / ye and had put them selfe holy in his hande / shulde entermedle them with any maner of treatise without his lycence / and that he was nat bounde to stande to theyr bargayne. The whiche argumente / is deducēt out of two circumstancies / wheroft one is the tyme of the makyng of the compacte / and the other / the persons that made it / which two cyrcumstances may briefly be called *whan* / & *who*.

Lykewyse yf an oracyon shuld be made to the laude of saynt Peter / it behoueth to excuse his denyenge of chryste / that it was rather of diuine power and wyll: than otherwyse / for a confortable example to synners of grace yf they repente.

This is the maner of handelyng of an oracion demonstratiue / in which the person is praised.

[C ii b] The author in his greater worke declareth the fashyon by this example.

If one wolde praise kynge Charles / he shulde kepe in his oracyon this order.

Fyrst in declaryng his parentel / that he was kynge Pipines sone / whiche was the fyrite of all kynges of Fraunce named the mooste chrysten kyng / and by whome all after hym had the same name / and Nephiēw to Martell / the most valiauntest prince that euer was. Nexte / his bryngyng vp vnder one Peter Pysane / of whome he was instructe bothe in Greke and Laten. Than his adolescencie / whiche he passed in exercise of armes vnder his fader in the warres of Aquitaine / where he lerned also the Sarazynes tonge.

Beynge come to mannes state / & nowe kyng of Fraunce / he subdued Aquiatyn / Italye / Swaueland^a and the Saxones. And

^a *B. Dolus a[u]f] virtus quis in hoste requirat.*

^a *Sueviam in Mel.*

these warres were so fortunate / that he ouercame his aduersaries more by auctoritie & wisedom than by effusyon of blode.

Also many other notable examples of vertue were in hym in that age / specially that he edified the vninerfitye of Paris.

Here maye by digressyon be declared howe goodly a thyng lernyng is in Prynces. Chiefly suche condicion appertayneth to vertue and good lynyng.

[C iii a] Here may be also made comparisyon of his vertues in warre / & of other agreynge with peace / in the whiche (as his history maketh mencyon) he was more excellent. For his chyefc delyte was to haue peace / & agayne he was so gentyll and so mercyfull that he wolde rather saue enyn suche as had done hym great offence : & had deserued very well for to dye / than to dvestroye them / thonghe he myght do it conueniently.

Besyde this / he was so greatly enflamed in the loue of god and his holy church, that one Alcuine a noble clerk of England was continually with hym / in whose preachyng and other godly communicaclon he had a chiefe pleasure. His olde age he passed in rest and quyetnes fortunatly / saue for one thyng / that his sonnes agreed euyll betwene them.

After his decease reigned his sonne / holy saint Lewes / and so the folowinges of his dethe were suche that they colde be no better / and a very great token of his good and vertuouse lyuynge. For yl an yll tre can bryng furthe no good fruite / what shal we suppose of this noble kynge Charles / of whom can so vertuouſe and so holy a son? Truely methynkethe that hyther may be nat inconueniently applied the fayenges of the gospel / by theyr fruities you shal knowe them.

[C iii b] ¶ Of an oration Demonstratiue / wherein an acte is prayfed.

Whan we wyll prayſe any maner of dede / the most apte preamble for that purpoſe ſhall be to ſay that the mater perteyneth¹ to the commodities of them which here vs.

Example.

Whan the Romaynes had expelled theyr kynge / whom the histori-
cyens cal Tarquine the proude / out of the citie / and fully enacted

¹B. perteyneth.

that they wolde never haue kynge to reigne more ouer them. This Tarquinus wente for ayde and focour to the kynge of Tuscaye / which whan he could by no inenes entreat the Romans to receiue agayn their kynge / he cam with all his puyſaunce agaynst the citye / and there longe ſpace besieged the Romaynes by reaſon wheroſ , great penury of whete was in the citye / and the kynge of Tuſcay hadde great truſte / that continuynge the ſiege / he ſhulde within a lytel lenger ſpace compell the Romaynes through famine to yelde them ſelſe.

In the meane ſeaſon a yonge man² of the citie named Caius Mucius / came to the Senatours and ſhewed them that he was purpoſed yf they wolde gyue hym licence to go furthe of the citye to do an acte that [C iv a] ſhuld be for theyr great profit and welth / whereupon when he had obteined licence / priuely / with weapon hyd vnder his vesture he cam to the Tuſcans campe / and gate hym amouge the thyckete nyghe to the tent where as the kyng ſat with his chaunceller / payenge the ſowdiers theyr ¹wages.

And by cauſe that they were almoſt of lyke apparel / and alſo the chaunceler ſpake many thyngeſ as a man beyng in auctorite / he coulde nat tell whether of them was the kynge / nor he durſt nat afke / leſte his demaunde wolde haue bewrayed hym / for as for lan‐guage they had one / & nothynge was diſſerent / for bothe Tuſcains and Romayns were all of Italye / as in tymes paſt / Englaude haſthe had many kynges / thoughe the language and peple were one. And thus beyng in doubt whether of them he myght ſteppe vnto / by chaunce he ſtrake the chaunceller in ſtede of the kynge / and ſlewe hym / wherfore whan he was taken and brought before the kynge / for to puniſhe his hande that had fayled in takynge one for an other / and agayne to ſhewe the kyng howe lytle he cared for his menaces he thraſt his hande into the fyre / whiche at that tyme was there prepared for ſacrifyce / and there in the flame let it brenne / nat ones mouynge it. The kynge greatly [C iv b] merueylyng at his audacitie and hardy nature / commended hym greatly thereof / and bad hym go his way free. For the which (as though he wolde make the kynge a great amedes) he fayned that .iii. C. of the nobleſt yonge men of Rome had conſpyred togyther in lyke maner euery one after another vnewares to flee hym / and all to put theyr bodyes and lyues in haſarde tyll tyme ſhulde

² B. the.

chaunce that one myghtacheu theyr entent. For fere whereof the kyng furthwith fel at a pointement with the Romaines / and departed. The yonge man after warde was named Scenola / whiche is as muche to say in Englyssh as lefte handed. For as I haue rehersed afore / he brente his ryght hande / so that he had loste the vse therof.

If any oratour wolde in an oracyon commende this dede / he myght conueniently make the preface on this fa'hyon.

There is no doubte my lordes and maysters of Rome: but that the remembraunce of Sceuolas name is very pleasant vnto your audience / whiche with one acte that he dyd / endewed your citie with many & greate commodyties. &c.

This maner of preface is mooste conuenient and best annexyd to suche maner of oracyons demonstratyues.

[C v a] Neuer the lesse it is lawfull for vs to take our preface (yf it be our pleasure) oute of some circumstaunce / as out of the place that our oracion is made in / or out of the tyme that we speake^e in / or els otherwyse accordynge as we shal haue occasyon. As Tullye / in the oracyon that he made for the restitucyon of Marcus Marcellus / in the whiche he prayseth Cezare for the callynge home of the sayd Marcus mercellus out of exyle / he taketh his preamble out of the tyme & Cezares person / begynnyng thus.

This daye my lordes Senatoures hathe made an ende of the longe scilence that I haue kepte a great whyle / nat for any fere that I had / but part for great sorowe that was in me / and partly for shame / this daye as I sayd hathe taken away that longe scilence / ye / and besyde that of newe brought to me luste and mynde to speke what I wolde / and what I thought mooste expedient / lyke as I was afore wont to do. For I can nat in no manner of wyse refrayne / but I muste nedes speke of the great mekenes of Cezare / of the gra- cioufnes that is in hym / so habundant and so great withall / that never afore any suche hathe ben wont to be fene or harde of / and also of the excellent good moderacyon of all thynge whiche is in hym that hathe [C v b] all in his own mere power. Nor I can nat let passe his excellent increible / and diuine wydome vnspoken of / afore you at thys tyme.

Of the Narracion.

In this kynde we vſe but ſelden hole narracions / oneles we make our oracion afore them that knowe nat the history of the acte or dede whiche we be aboute to praife. But in ſtede of a narracion we vſe a propofycion / on this maner.

Amonge all the noble dedes Cesar² that you haue done there is non that is more worthy to be prayſed then this reſtituſion of Marke Marcell.

Of Confymacion / which is the fyſte parte of Contencion.

The places of confymacyon are honeſty / perfite³ lyghtnes or hardines of the³ dede. For after the proheme of the oracion and the narracyon / then go we to the prouynge of our mater. Fyſt ſhewing that it was a very honeſte dede. And next / that it was nat all onely honeſty : but alſo profitable. Thyrdely as concernynge the easines or diſſiculti / the praife therof muſte be conſydered / part in the doer / part in the dede. An easy dede deſerueth no great prayſe / but an harde & a ieoperdouſe thynge / the ſoner and the lyghtlyter it is acheued / the [C vi a] more it is to be lauded. The honeſty of the caufe is fet from the nature of the thynge that is ſpoken of / whiche place lieth in the wytte of the oratour / and maye alſo be fet out of the phylosophers bokes. It is alſo copioſely declared of Rhetorycyens / and very compendiouſly handled of Erasmus in his boke / entituled of the maner & crafte to make epiftles / in the chapitre of a perſuadyng epiftle. The profyte of the dede / or the commoditie may be fet at the circumſtaunce of it. Circumſtaunces are theſe / what was done / who dyd it / whan / where it was done / amounge whom / by whose helpe.

As if one wolde praife Sceuolaes acte / of the which mencion was made afore, he may whan he cometh to the places of contencion / ſhew fyſte howe honeſt a dede it is for any man to put his lyfe in ieoperdy for the defence of his contrey / whiche is fo much the more to be commended that it came of his owne mynde / and nat by the iſtigacion of any other / and howe profitable it was to the citie to remoue ſo ſtronge and puyſuant an enemy by ſo good and crafty policy / what tyme the citie was nat wel auſſured of all meſſes myndes that were within the walles / conſideryng that but a lytle

² B. Cezare.² B. profit.³ B. adds the.

afore many noble yonge men were detecte of treason in the same busines. And [C vi b] then also the citie was almoste destitute of vitailles / and all other commodities necessary for the defence.

Lyke wyse easynes or difficultie are conteyned in the circumstaunces of the cause. As in the example nowe spoken of / what an harde enterprise it is for one man to entre into a kynges armye / and to come to the kynges paullion in the face of his souldiers to aduenture to flee hym.

Of the seconde part of contencion / called confutacion.

Confutacion is the soilynge of suche arguimentes as maye be induced agaynst our purpose / whiche parte is but lytle vfed in an oracion demonstratiue. Neuer the lesse / somtyme may chaunce a thynge that muste be eyther defended or els at the leste excused. As if any man wolde speke of Camillus dede / wherby he recovered his contrey / & delyuered it from the handes of the Frenche men. Here muste be declared that the bargayne made afore was nat by Camillus violate.

Of the conclusion.

The conclusion is made of a brife enumeracion of suche thynghes that we haue spoken of afore in the oracyon and in mouyng of affections.

In delectable thinges or suche thinges [C vii a] that haue bene well done / we moue our audyence to reioce thereat / and to do lyke.

In sad thynghes and heuy / to be fory for them. In yll and peruerse actes / to beware that they folowe nat them to theyr great shame and confusyon.

Of an oracion demonstratyue / wherin are praised neither persones nor actes / but some other thynge³ / as religion / matrimony / or suche other.

The besite begynnynge wyl be if it be taken out of some hygh prayse of the thynge. But a man maye also begyne otherwyse / eyther at his owne person or at theyrs afore whom he speketh / or at the place in the whiche he speketh / or at the season present / or otherwyse / as hathe afore ben specified / and here must we take good hede that yf we take vpon vs to praise any thynge that is no²

¹ B. leſt.

² B. thynghes.

³ Both A. and B. no.

praise worthy / than muste we vse insinuacyon / and excuse the turpitude / either by examples or by argumentes / as Erasmus dothe in his epistle prefixed afore his oracyon made to the prayse of folysfenes / of whiche I haue let passe the translacyon because the epistle is somewhat longe.

The narracyon.

In this maner of oracyon is no narracyon / but in stede therof the Rhetorycens [C vii b] al only propose the mater. And this proposicion is in the stede of the narracyon.

A very elegant example is in the oracion that Angele Politiane made to the laude of histories / whiche is this. Amonge all maner of wryters by whome either the Greke tounge or the latine hathe bene in floure and excellencye / without doubte me semeth that they dyd molt profyte to mankynde / by whom the excellent dedes of nacyons / prynces / or valyant men haue bene truely descryued and put in cronicles.

Lykewylle yf a man prayse peace / and shewe what a commodisoufe thyng it is he maye make suche a propofycon.

Amonge all the thynges whiche perteine to mannes commoditie / of what souuer condycon or nature so euer they be / non is so excellent and so worthy to be had in honour and loue / as is peace.

The confymacyon.

The places of confymacyon be in this oracyon. The fame that were in the other (of whom mencion was made afore / honesty / profyte / easynes / or difficulty. Honesty is confydered in the nature of the thyng / also in the personnes that haue excercysed it / and the inuenters therof. And in the auctour of it. As in the laude of matrymony be confydered the [C viii a] auctour thereof / whiche was god hym selfe / the antiquite that it was made in the fyrst begynnynge of the world / & continued (as reaſon is) to this hōur in great honour and reuerence. The personnes that haue vied it / were bothe patriarches / as Abraham. Prophētes / as Davyd / Apostels / as saynt Peter. Martyrs / saynt Eustache / And confisfours as saynt Edward. And (whiche thyng was fyrste proposed) the nature therof is suche / that without it : man shuld be lyke vnto beſte / oneles all generacyon shulde be put aparte. And the com-

maundement of almighty god not regarded / who bad man & woman
i' shuld engender & multiply.

Profite and easines is considered in the circumstaunces. Examples may be taken out of Polycyáns oracyons / made to the laude of hystories. And two oracyons of Erasmus one to the laude of physike / and an other to the laude of matrymony.

Of confutacyon.

Confutacyon hathe contrary places to confymacyon.

Of the conclufyon.

The periode or conclusyon standethe in the bryefe enumeracyon of thynges spoken afore / and in mouyng the affectyons / as hathe bene aboue exprefed.

[C viii b] Of an oracyon deliberative.

An oracion deliberative is by the whiche we perſuade or diſſuade any thing / and by the which we aſke / or whereby we exorte any man to do a thynge / or els to forſake it / and this kynde of oracion is muſche in vſe / nat onely in ciuile materis : but alſo in epiftles.

Of the preamble.

We may begynne our oracion in this kynde / euyn lyke as we dyd in an oracyon demonſtratyue / but moſte aptly at our offyce or duety / leſte ſome men wolde thynke that we dyd it more of a priuate affection for our owne commoditie & pleſure : than for any other mannes profyte.

And in this maner Salust in his boke of Cathelyne bryngethe in Cezare / begynnyng an oracyon. But let vs here nowe what Cezar ſayeth.

All men my lordes Senatoures whiche ſyt councellyng vpon any doubtfull maner / muſte be voyde of hatred / frenſh hyppe / anger / pitye / or mercye. For where any of theſe thynges bere a rule / mannes minde can nat lightly perceiue the truthe. &c.

Or els we may begyn at the gretenes² of the mater / or daunger of the thyng that we ſpeke of / as in the fyfte boke of Liuinus Camillus maketh the preamble of his oracion thus.

¹B. perceyue.

²B. gretenes.

[D i a] My maysters of this Citie of Ardea / whiche haue ben
 alwayses myne old frendes / & nowe (by reaſon of myne exyle out of
 Rome) my newe neyghbours and citizens. For I thanke you of
 your goodnes you haue promyſed that it ſhulde ſo be / & on the
 other syde my fortune hath conſtrayned me to ſeke ſome newe-
 dwellyng out of the citie where I was brought vp and enhabyted.
 I wolde nat that any of you ſhulde thynke that I am nowe come
 amouge you nat remembryng my condycyon and ſtate / but the
 comon ieopardy that we be all nowe in / wyll compell euerie man to
 open and ſhewe the beſte remedy that he knowethe for our ſocoure
 in this great fere and neceſſyty.

Natwithſtandynge this / a man maye take his begynnynge other-
 wyſe / after any of the facyons afore recyted / if he lyſte.

Tully in the oracion / wheriu he aduised the Romaynes to make
 Pompey theiſt chyefe capytayne againſte Mythrydates and Tygranes /
 kynges of Ponthus and Armeny / taketh in the preface beneuolence
 from his owne perſon / ſhewynge by what occacyon he myght law-
 fully gyue couſcell to the Romaynes / bycause he was electe Pretor
 of the citie. We may alſo touche our aduersaryes in the preface / or
 els we may [D i b] touche the maners / either of ſome ſeuerall per-
 sons / or of the commons in general. As in the oracyon that Por-
 cyus Cato made agaynſte the ſumptuousnes of the women of Rome /
 thus.

If euerie man my lordes and maisters of this citie wolde obſerue
 and kepe the ryght and maiesty of a man agaynſte his owne wyſe /
 we iſhulde haue ferre leſſe encombrance nowe with the hole thronge
 than we haue. But nowe our fredome & lybertie is ouercome within
 our owne dores by the importunatnes of our wyues / and ſo audi-
 citie² taken therof here troden vnder the fete / and opprefſed in the
 parlyament house! And by cauſe we wold nat diſplease no man his
 owne wyſe at home: here are we nowe combred with all / gathered
 togyder on a hepe / & brought in that takinge that we dare nat ones
 open our lyppes agaynſte them. &c.

We may alſo begyn at the nature of the tyme that we ſpeke in /
 or at the nature of the place / or at any other circumstaunce or
 thynge incident. As Liuius in the ix. boke of his fourthe decade
 agaynſte the feaſtes that the Romaynes kept in the honour of the

¹ B. adds begynnynge.

² B. aydacicie.

ydolys he god Bacchus / begynneth his oracyon at prayenge on this wye.

[D ii a] The solempne makynge of prayers vnto the goddes was never so apte nor yet so necessary in any oracyon as it is in this / whiche shal shewe and admonyshe you that they be very & right goddes / whom our elders haue ordeyned to be worshypped / adoured / and prayed vnto.

Bryefly in all prefaches belongynge to oracyons delyberatyues the offyce of the person: & the necessarye or commodyte of the matter that we treate of are confydered.

The narracyon.

In oracyons dylyberatyues¹ we vse very feldoine narracyons / but for the more parte in stede of them we make a bryef proposyon conteynynge the summe of our entent. As nowe adayes nothynge is so necessary as to labour to brynge these diffencyons that be in the churche to a perfecte vnite and concorde / that accordynge to Christes sayenges / there be but one shepherde and one folde. Neuertheles we vse sometyme briefe narracyons / whan that somethynge hathe bene done all redy of that that we gyue our councel vpon / as in the aboue sayd oracion² that Tuly made for Pompey / where he maketh this narracyon.

Great & very perillous warre is made bothe agaynst your tributours / and also them that bothe confederate with you / [D ii b] and by you called your felowes / whiche warre is moued by two ryght myghty kynges / Mythrydates and Tigranes. &c.

After this maner is a narracyon in the oracion that Haniball made to Scipio / & is conteined in the .x. boke of the .iii. decade of Litius / ryght proper and elegant without any prefac³ beginning his narration thus. ~~1.2.3.~~

If it hathe benordeined by my fortune and desteny that I whiche fyrste of all the Carthaginois began warre with the Romayns / and whiche haue almoste had the victory so often in myne handes / shuld now come of myne owne mynde to aske peace. I am glad that fortune hathe prepared that I shulde aske it of you specially. And amonge all your noble laudes⁴ this shall not be one of the leste⁴ that Hanibal gaue ouer to you / to whom the goddes had gyuen

¹ B. deliberatiues.

³ Sic in A and B, for laudes.

² B. prefac

⁴ B. leest.

afore the vyctorye ouer so many capitains of the Romaynes / and that¹ it was your lucke to make an ende of this warre / in the whiche the Romayns haue had ferre mo euyl chauzces than we of Cartahene. And whether it were my destene or chauunce that ought me this fkornefull shame. I whiche began the warre whan your father was Consull and after ioyned batayle with him whan he was made Capitayne of the Romayns army / muste nowe come vnarmed [D iii a] to his son to aſke peace of hym. It had ben besſe for bothe parties if it had pleased the goddes to haue ſent our fore faders that mynde / that you of Rome wolde haue ben content with the Empyre of Italy / & we Caraginoys² with Affryke. For neyther Sifil³ nor Sardynya can be any ſuffycient ameſdes to eyther of vs for ſo many naueis ſo many armes / ſo many and ſo excellent capitaines loide in our warres betwene vs, but thynges paſſed / may ſoner be blamed than mended. we of Cartagene⁴ (as touching our parte) haue ſo coueted other dominions that at lengthe we had buſines ynough to defende our poſieſſions. Nor the war haſte nat bene only with you in Italy or with vs onely in Affryke : but at the pleaſure of fortune ſometyme here and ſome there / in ſo muſche that you my maifters of Rome haue ſene the ſtaſterdes and armes of your enemyes harde at your walles and gates of the citie. And we on the other syde haue herde the noyſe out of your campes⁵ into our citie.

After the narracyon ought to folowe immadiately the propofy-
cyon of our councell or aduife. As after the narracioꝝ of Haniball
afore reherced / foloweth the propofycon of his purpose thus.

[D iii b] That thyng is nowe entreated while fortune is fauorable vnto you / that we ought moſte to abhorre / and you ſurely ought aboue all thynges to defyre / that is to haue peace. And it is moſte for the profyte of vs two / whiche haue the mater in handelynge that peace be had. And ſure we be / that what ſo euer we agre vpon our cities wyll ratyfye the fame.

Nexte foloweth the confirmation of tho thynges that we entendē to perſuade / whiche muſt be ſet out of the places of honiſty / profyte / easynes / or⁶ diſſiculty. As if we wyll perſuade any thyng to be done / we ſhall ſhewe that it is nat onely honeſt

¹ B. than.

⁴ B. Cartahene.

² B. Caraginoys.

⁵ B. campe.

³ B. Sicil.

⁶ B. easines / or.

and laudable: but all so profytable and easy ynough to perfourme. Or if we can nat chefe but graunte that it is harde / yet we shall shew that it is so honeste a dede / so worthy prayse and besydes so great commodity wyl come therof / that the hardenes ought in no wyse to fere vs: but rather be as an instigacyon to take the thynges on hande / remembryng the greke prouerbe. *Sciasnola ta nala* / that is to say / all excellent and commendable thynges be harde and of dyffyculty.

In honesty are comprehended all vertues / as wysedome / iustice / due loue to god / and to our parentes / lyberality / pty¹ / constaunce / temperance. And therfore he that wyl for [D iiiii a] the confyrming of his purpose declare and proue that it is honest and commendable that he extendeth to *persuade* hym: behoueth to haue perfyte knowlege of the natures of vertues. And all so to haue in redy remembraunce sentences bothe of scripture and of philosophy / as oratours and poetes / and besyde theſe / examples of histories / for garnyſſhyng of his maters.

As concernyng the place of vtilite / we must in all causes loke if we may haue any argumentes wherby we may proue that our councell is of ſuche neceſſity / that it can nat be chosen but they muſt nedes folowe it / for tho² argumentes be of ferre greater strengthe than they that do but onely proue the vtiltie of the mater. But if we can haue no ſuche neceſſary reaſons / than we muſte ferche out argumentes to proue our mynde to be profytable by circumſtances of the caufe. In lyke maner to persuade a thyng by the easines therof / or diſſuade it by the difficulty of the thyng / we muſte haue respect to poſſibiliſti or impoſſibiliſte / for theſe proues are of ſtrenger nature than the other / and he that wyl ſhewe that a thyng may be done eaſely: muſt presuppoſe the poſſibilete therof. As he on the other syde that wyl persuade a thyng nat to be done / yf he ſhewe and manyfeite that it is [D iiiii b] imposſible / argueth more ſtrongely than if he could but only proue difficulty in it. For as I ſayd afore³ many thynges of difficulty yet may be the rather to be taken in hande / that they may get them that achiue them the greater fame and prayie. And theſe argumentes be fet out of the circumſtances of the caufe / that is to ſaye / the tyme / the place / the doers / the thyng it ſelue / the

¹ B. pity.

³ B. omits afore.

² A and B. tho.

⁴ B. on.

meanes whereby it shulde be done / the causes wherefore it shulde be done or nat / the helpes or impedimentes that may be therin. In this purpose examples of histories are of great efficacy.

The confutacyon is the soylynge and refellynge of other mennes sayenges that haue or myght be brought agaynst our purpose / wherefore it confysteth in places contrary to the places of confirmacyon / as in prouyng the sayenge¹ of the contrary part / neyther to be honeste nor profitable / nor easy to perfourme / or els vtherly impossyble.

The concludyson standeth in two thinges² / that is to saye / a bryefe and compendious repetynge of all our reasons that we haue brought for vs afore / and in mouyng of affectyons. And so dothe Ulysses conclude his oracyon in the .xlii. boke of Ouide Metamorphosy.

[D v a] Of the thyrde kynde of oracyons / called Judiciall.

Oracyons judiciall be that longe to controuersies in the lawe and plees / whiche kynde of oracion in old tymē longed onely to Judges and men of lawe / but nowe for the more parte it is neglecte of them / though there be nothyng more necessarie to quicken them in crafty & wylle handeling of theyn maters.

In these oracions the fyrste is to fynde out the state of the cause / whiche is a short preposicion³ / conteynynge the hole effect of all the controuersies. As in the oracion of Tully / made for Mylo / of the whiche I made mencyon in the begynnyng of my boke. The state of the cause is this. Mylo flewe Clodius lawfully / whyche thynge his aduersaries denied / and yf Tully can proue it / the plee is wonne. Here must be borne away that there be thre maner of states in suche oracyons.

The fyrste is called conjecturall. The second legitimate. The thyrde / iudiciall / and euery of these hathe his owne proper places to fet out argumentes of them, wherfore they shall be spoken of seuerally. And fyrste we wyll treate of state conjecturall / whiche is vfed whan we be certayne that the dede is done / but we be ignorant who [D v b] dyd it / and yet by certayne conjectures we haue one suspecte / that of very lykelyhode it shulde be he that hathe commytted the cryme. And therfore this state is called conjecturall / bycause we have no manyfeste profe / but

¹ B. sayenges.

² B. thynges.

³ B. proposicion.

all onely great lykelyhodes / or as the Rhetoriciens call them / conjectures.

Example.

There was a great contention in the Grekes army afore Troye betwene Uliisses and Ajax / after the dethe of Achelles / whiche of them shulde haue his armour as nexte to the sayd Achilles in valiauntes. In whiche controuersye whan the Grekes hadde judged the sayde armour vnto Uliisses / Ajax for very great disdayne fel out of his mynde / and shortly after in a wode nygh to the hoste / after he had knownen (whan he can agayne to him selfe) what folyshe prankes he had played in the tyme of his phrenes / for forow and shame he flewe hym selfe. Sone vpon this dede cam Uliisses by / whiche seynge Ajax thrust thrughe with a swerde: cam to hym, and as he was about to put out the swerd / the frendes of Ajax chaunced to come the same way / which seyng theyr frende deade / and his olde enemy pullynge out a swerde of his body / they accused hym of murder.

[D vi a] In very dede here was no profē. For of truthe Uliisses was nat gylty in the cause. Neuer theles the enuye that was betwene Ajax and hym: made the mater to be nat a lytle suspecte / specyally for that he was fownde there with the sayd Ajax alone / wherfore the state of the plee was conjectural / whether Uliisses flewe Ajax or nat.

The Preface.

The preface is here euyn as it is in other oracions. For we begyn accordyng to the nature of the caufe that we haue on hande / either in blamyng our aduersary / or els mouyng the herers to haue pity on our client. Or els we begyn at our owne person / or at the praiſe of the Juge, &c.

The narration.

The narracioꝝ or tale is the shewyng of the dede in maner of an historye / wherin the accuser muste craftly entermeſgle many suspicyonis which shall ſeme to make his mater prouable. As Tulli in his oracion for Milo / where in his narracyon he intendeth by certayne conjectures to shewe that Clodius laye in wayte for Milo / he in his sayde narracyon handelethe that place thus.

² So B.; A. lytlye.

In the meane seafon whan Clodius had knowledge that Milo had a lawfull and necessary iourney to the city of Lauine the [D vi b] .xiii. day afore the kalendes of Marche / to poynte who shuld be hed preste there / whiche thyng longed to Milo because he was dictatour of that towne: Clodius sodaynely the day afore departed out of Rome to set vpon Milo in a lordeshyp of his owne/ as after was wel perceyued. And fuche hafte he made to be goyng that where as the people were gadered the same day for maters wherin also he had greate ado hymselfe / & very necessary it had bene for hym to haue bene there / yet this natwithstandyng / al other thynges aparte: he went his way / which you may be sure he wold neuer haue done / faue onely that he had fully determined to preuent a tyme and place conuenient for his malicius entent afore Miloes comyng.

In this pece of Tullies narracyon are entermengled fyriste that Clodius knewe of Miloes goyng/ whiche makethe the mater suspecte that Clodius went afore to mete with him / for this was wel knownen afore that Clodius bare Milo great gruge^a & malycy. Next is shewed the place where as Clodius mete^b Milo / which also giueth a great suspiccion / for it was nygh Clodius place / where he myght fone take focour / & the tother was in leste^c assuraunce. Thyrdly that he departed out of the city / what tyme it had bene moste expedient / ye and also [D vii a] greatly requisite for hym to haue bene at home. And that agayne maketh the mater suspect / for surely he wolde nat (as Tully hym selfe sayeth) in no wyse haue bene absent at fuche a busy tyme / onles it had bene for some great purpose / & what other shuldē it feme than to flee Milo. As surely euident^d it was that they buckled to gyther / and this was well knownen that Milo had a necessary caufe to go furth of Rome at that tyme. Contrarily in Clodius coulde be perceyued none other occasyon to depart than out of the citie: but of lykelyhode to lye in wayte for Milo.

The propoficion.

Out of the narracion must be gaderyd a bryfe sentence / wherein shall stande the hole pithe of the caufe / for Rhetoriciens put incontinent after the narracyon diuifyon / whiche is a part of conten-

^a Of added in B.

^b B. met.

^c B. grudge.

^d B. Jeest.

^e B. evident.

cyon / and dothe bryefly shewe wherin the controuersy dothe stande / or what thynges¹ shalbe spoken of in the oracion. This diuision is deuyd into seiunction and distribucion.

Seiunction is whan we shewe wherin our aduersaries and we agre / and what it is / wherupon we stryue. As they that pledyd Clodius cause agaynst Milo / myght on this maner haue yfed seiunction. That Milo slewe Clodius: our aduersaries can [D vii b] nat denaye / but whether he myght so do lawfully or nat / is our controuersy. Distribucion is the propoficion wherein we declare of what thynges we wyll speke / of whiche yf we propose howe many they be / it is called enumeracion / but yf we do nat exprefse the nombre / it is called exposicion.

Example of bothe is had in the oracion that Tully made to the people that Pompeyus myght be made chyefe capytayne of the warres agaynst Mithridates and Tigranes / where after the preface and narracyon he maketh his propolycyon by exposycyon thus.

Fyrste I thynke it expedient to speke of the nature & kynde of this warre / and after that of the greatnes thereof / and then to shewe howe an hede or chyefe capytayne of any army shulde be chosen.

Whiche laste membre of his exposycyon he agayne distributeith into foure partes thus as foloweth.

Truely² this is myne opynyon / that he whiche shalbe a gouerner of an hoost / ought to haue these foure propertyes in hym. The fyrste is / that he haue perfyte knowlege of all fuche thynges as longeth to warre. The seconde is that he be a man of his handes. The thyrde that he be a man of fuche auctority: that his dignite maye [D viii a] cause his souldiers to haue hym in reuerence & awe. The fourth is that he be fortunate & lucky in all thynges that he goeth about.

Tully in the oracion for Milo proposeth all onely shewynge wherin the controuersy of the pleyd stande on thys maner as³ follyweth.³

Is there any thyngelis that must be tryed & iudged in this cause save this: whether of them bothe beganne the fraye & intended to murder the tother? No surely. So that yf it can be founden that Milo went about to distroye Clodius / than he be punyfshed therfore accordyngly. But yf it can be proued that Clodius was the

¹ B. thynges.

² B. Truely.

³ Added in B.

begynner and layed wayte for to flee Milo / and so was the fercher of his owne dethe / & that what Milo dyd it was but to defende hym selfe from the treason of his enyme¹ & the fauegarde of his lyfe: that than he may be delyuered and quyte.²

Of confyrmacion.

The confyrmacyon of the accuser is fetched out of these places / wyl / and power. For these two thynges wyl caufe the person that is accused to be greatly suspekte that he had wyl to do the thyng that he is accused of / and that he myght well³ ynoughe bryngē it to passe.

To proue that he had wyl therto: you must go to .ii. places. The one is the qualite [D viii b] of the persone / and the other is the cause that meynd hym to the dede. The qualite of the person is thus handled. For to loke what is his name or surname / and if it be nougthy to saye that he had it nat for nothyng: but that nature had such prym power in men to make them gyue names accordynge to the maners of euer person. Than next to behold his contrey. So Tully in his oracion made for Lucius Flaccus to improue the wytnes that was brought agaynst hym by Grekes / layth vnto them the lyghtnes of theyr contrey. This (fayeth Tully) do I saye of the hole nacion of Grekes. I graunte to them that they haue good lernynge / and the knowlege of many scyences. Nor I denye nat but that they haue a pleasant and marueylouse swete speche. They are also people of hygh and excellent quycke wytte and thereto they be very facundiouse. These and suche other qualties wherin they booste them selfe greatly: I wyl nat repyne agaynst it that they bere the maystry therin. But as concernyng equite and good conscience / requisite / in berynge of recorde / or gyuyng of any wytnes / & also as touchynge faythfulnes of worde and promyse: truely this nacion neuer obserued this property, neyther they knewe nat what is the strength / [E i a] auctoriteye / and weyght therof.

So to Englysshmen is attributed sumptuousnes in meates and drynkes. To Frenchemen / prude / & delyte in newe fantasyes. To Flemmynges and Almaynes / great drynkyng / and yet inuen-tyfe wyttes. To Brytayns / Gascoignes / and Polones / larcyne.⁴

¹ B. enemy.

² A. wyll.

³ B. quyt.

⁴ B. larcine.

To Spanyerdes / agilitye. To ytalyens / hygh wyt and muche subtilty. To Scottes / boldnes / to Irissh men / hastines. To Boines valiauntnes and tenacite of opynions. &c.

After that to loke on his kynred / as yf his father or mother or other kynne were of yll disposicion / for as the tre is: suche fruite it berethe.

On this wyse dothe Phillis entwyte Demophon / that his father Theseus vncurtefly and trayterously lefte his loue Ariadna alone in the desert yle of Naxus / and contrary to his promyse stale from her by nyght / addynge. *Heredem patria[er] perfida fraudis agis.* That is to saye / vntrewe & false forsworne man / thou playest kyndely thy' fathers heyre / in deceytable begylinge of thy true louer.

After that we must loke vpon the sex / whether it be man or woman that we accusē / to se yf any argument can be deducē out of it to our purpose. As in men is noted [E i b] audacite / women be comonly tymerouse. Than nexte / the age of the perfone. As in Therence Simo speketh of his son Pamphilus / sayeth vnto his man called Sosia / howe couldest thou knowe his condicions or nature afore / whyle his age and feare / and his mayster dyd let it to be knownen.

Hipermetra in Ouides epistles ioyneþ these .ii. places of sexe & age togyther thus.

I am a woman and a yonge mayden / mylde and gentyll / bothe by nature and yeres. My softe handes are nat apte to fyers batayles.

After these folowe strength of body / or agylite / and quicknes of wyt / out of whiche may be brought many reas ons to affyrme our purpoſe. So Tully in his oracyon for Milo / wylyng to prove that Clodius was the begynner of the fraye / sheweth that Milo (which was nevere wont but to haue men about hym) by chaunce at that tyme had in his company certayne Musiciens and maydens that wayted on his wyfe / whom he had sytting with hym in his wagen. Contraryly Clodius that was nevere wont afore but to ryde in a wagen & to haue his wyfe with hym: at that tyme rode furth on horsebacke. And where as afore he was alwayes accoustoined to haue knaues and quenes in his company: [E ii a] he had then non but tal men* with hym / & (as who shulde say) men piked out for the nones.

To this is added forme / as to assay yf we can haue any argument

¹B. the.

²B. tall men.

to our purpose out of the persones face or countenance / and so dothe Tully argue in his oracyon agaynst Pyfo / sayenge on^t thys^t wyfe.^t

Seft^t thou nat nowe thou beste^t? doste thou nat nowe perceyue what is mennes complaunt on thy vysage? there is non that complayneth that I wote nat what Surryen^t & of theyr flocke whiche be but newly crepte vp to honour out of the donghyll is nowe made consull of the citie. For this seruile colour hathe nat deceiued vs nor hery cheke balles / nor rotten and fylthy tethe / thyn^s eyes / thy browes / forhed / and hole countenaunce / whiche in a maner dothe manifest mennes condicyonys and nature / it hath deceiued vs.

This done / we must consyder howe he hathe bene brought vp that we accuse / amonge whom he hathe lyued / and whereby / howe he gouerneth his housshould / & assay if we can pyke out of these ought for our purpose. Also of what stafe he is of / fre or bond / ryche or pore / berynge offyce or nat / a man of good name / or otherwise / wherin he deliteh most / whiche places do exprefse mannes lyuyng / and by his lyuyng : his wyll and mynde / as I [E ii b] wolde declare more fully / faue that in introductions men muste labour to be fhort / & agayne they are fuche that he that hath any perceyuyng may sone knowe what shal make for his purpose / and howe to set it furthe. And therfore this shall suffyse as touchyng the qualitie of the person.

If we here away this for a generall rule (that what maketh for the accuser, euermore the contrary) is sure staye for the defénder / yf he can proue it / or make it of the more lykelyhode. As Tully in defendyng Milo / layeth to Clodius frendes charges that he had none about hym but chosen men. And for to clere Milo he sheweth the contrary / that he had with hym syngyng laddes and women fernantes that wayted on his wyfe / whiche maketh it of more likelyhod that Clodius wente about to flee Milo: than Milo hym.

The cause that mioueth to the myschefe lyeth in two thinges. In naturall impulsyon / and raciocinacion.

Natural impulsion is angre / hatred / couetyfe / loue / or fuche other affections.

So Simo in Therence / whan he had sayd that Dauus (whom he had poyncted to wayt vpon his sonne Pamphilus) wolde do all that myght lye in hym bothe with hande and fote / rather to dysplease hym :

^t Omitted in B.

^s B. beest.

^t B. feft.

⁴ B. Surrien.

⁵ B. thyne.

then to [E iii a] please Pamphilus mynde. And Sofia demaunded why he wolde do so. Simo made aunswere by raciocinacion / sayenge / dolte thou arke that: mary his vngracions and vnhappy mynd is the cause therof. Oenon in Ovides epistles ioyneth togyther qualytte and naturall impulson / sayenge *A iuuen et Cupido credatur reddit virgo?* whiche is in Englyssh. Thynke you that she that was caried awaye of a yonge man / and hote in loue / was restored agayne a mayde?

Tully in the oracion for Milo / amouge other argumentes bryng-eth in one against Clodius by naturall impulsion of hatred / shewyng that Clodius had cause to hate Milo fyrt / for he was one of them that laboured for the faine Tullyes reuocacyon from exyle / whiche Tulli Clodius maliciously hated. Agayne that Milo oppres- syd many of his furious purposes. And fynally bycause the sayd Milo accused hym and caste hym afore the Senate and people of Rome.

Raciocinacion is that cometh of hope of any commodity / or to eschewe any discommodity. As Tully argueth in his oracion for Milo agaynst Clodius by raciocinacion to proue that it was he that laide wayt for Milo on this maner.

[E iii b] It is sufficient to proue that this cruel and wicked besle had a great cause to flee Milo / yf he wolde brynge his maters that he went aboue to passe / and great hope if he were ones gone / nat to be letted in his pretencid malycie.

After raciocinacion folowyth comprobacion / to shewe that no man els had any cause to go there about / saue he whome we accuse¹ / nor no profyte coulde come to no man thereof: saue to hym.

These are the wayes whereby an oratour shal proue that the persone accused had wyl to the thyng that is layde to his charge.

To proue that he might do it; ye must go to the circumstance of the cause / as that he had lyefer² yngough thereto and place conuenient and strength withall.

Also you shall proue it by sygnes / which are of iuerueylous efficacye in this behalfe / wherfore here muste be noted that sygnes be eyther wordes or dedes that eyther dyd go before or els folowe the dede. As Tully in his oracion nowe often alledged argueth agaynst Clodius by sygnes goyng afore the dede / as that Clodius

¹B. besle.

²B. accufe.

³B. leyfer.

sayd thre dayes afore Milo was slayne: that he shulde nat lyue thre dayes to an ende. And that he went out of the city a lytle afore Milo rode furthe with a greate company of stronge [E iiiii a] and myscheuous knaves.

Signes folowynge are as yf after the dede was done he fled / or els whan it was layed to his charge: he blushed or waxed pale / or stuttred and coulde nat well speke.

The contrary places (as I sayd afore) long to the defender / saue that in signes he must vse .ii. thinges / absolucion and inuencion.*

Absolucyon is wherby the defendour sheweth that it is laufull for hym to do that what the aduersary bryngeth in for a signe of his malycye.

Example.

A man is founde coueryng of a dede body / and therupon accused of murder/he may answere that it is laufull to do so for the preferuacyon of his body from rauons and other that wold deuoure hym / tyll tym he had warned people to fetche & bury hym.

Inuencion³ is wherby we shewe that the signe whiche is brought agayntte vs : maketh for vs. As I wolde nat haue taryed to couer hym yf I had done the dede my selfe : but haue fled and shronke asyde into some other way for feare of takynge.

Of the conclusion.

The conclusion is as I haue sayd afore in⁴ briefe repetynge of the effecte of our reas ons / & in mouyng the Judges to our [E iv b] purpose. The accuser to punyfie the person⁵ accused. The defender / to moue him to pity.

Of the state iuridiciall / and the handelynge therof.

As state conjecturall cometh out of this questyon (who dyd the dede) so whan there is no dout⁶ but that the dede is done / and who dyd it / many tymes controuersy is had / whether it hathe bene done laufully or nat. And this state is negociall or iuridiciall /

¹ From B. In A. he that shulde lyue thre dayes.

² B. Invercion; Lat. inversionem.

³ B. inuencion.

⁵ B. persone.

⁴ in added from B.

⁶ B. doubt.

whiche conteyneth the ryght or wronge of the dede. As in the oracion of Tully for Milo / the state is iuridicall / for open it was that Clodius was slayn / and that Milo flewe hym / but whether he kylled hym lawfully or nat: is the controuerisy & state of the cause / as I haue afore declared.

The preamble and narracion as afore.

The confirmation hath certayn places appropred thereto / but here muste be marked that state negocyll is double / absolute / and assumpcyue.

State negociall absolute is whan the thynge that is in controuerisy is absolutely defended to be lawfully done. As in the oracion of Tully for Milo / the dede is stysly affirmed to be lawfully done in slayng Clodius / seynge that Milo dyd it in his owne [E v a] defence / for the lawe permitted to repell violence violently.

The places of confirmacion in state absolute are these / nature / lawe / custome / equity or reason / iugement / necessity / bargayne or couenant. Of the whiche places Tully in his oracion for Milo bringeth in the more parte to gyther in a cluster on this maner.

If reason hath prefrybed this to lerned and wyse men / and necessity hathe dryuen it into barbours and rude folke / & custome kepereth it among all nacions / and nature hathe planted it in bruyte bestes¹ / that euery creature shulde defende hym selfe and saue his lyfe and his body from all violence by any maner of socour / what meanes or way so euer it were. You can nat iuge this dede euyll done / except you wyll iudge that whan men mete with theuys or murdeirers / they muste eyther be slayne by the wepons of suche vnthryfthy and malicioys persones: eyther els peryfhe by your sentence gyuen in iudgement vpon them.

State assumpcyue is whan the defence is feble of it selfe / but yet it may be holpen by some other thynge added to it. And the places longyng to this state are grauntynge of the faute / remouyng of the faute / or (as we say in our tongue) layeng it from vs to an other / & translatynge of the faute.

[E. v b] Graunting of the faute is whan the person accused denieth nat the dede / but yet he desyreteth to be forgyuen / & it hath .ii. places mo annexyd to it / purgacion & deprecacion.

Purgacion is whan he sayeth he dyd it nat maliciofylly: but by

¹B. bruite bestes.

ignorance or mishap whiche place Cato vseth ironioufly in Salust / thus: My mynde is that ye haue pity with you / for they that haue done amyſſe be but very yonge men / & deſyre of honour draue them to it.

Deprecacion is whan we haue non excuse: but we call vpon the Justices mercy. The handelynge wheroft Tully wryteth in his boke of inuencion thus.

He that laboreth to be forgyuen of his faut / must reherce (yf he can) ſome benefytes of his / done afore tyme / and ſhewe tha they be farre greater in theyr nature than is the cryme that he hath commytted / ſo that (how be it he hath done greatly amyſſe) yet the goodes¹ of his fore merites are farre bygger / and ſo may wel opprefſe this one faut. Nexte after that it behoueth hym to haue refuge to the merytes of his elders / yf there be any / and to open them. That done / he must retourne to the place of purgacion / and ſhewe that he dyd nat the dede for any hate or malyce / but either by folysf'nes / or els by the entisement [E vi a] of ſome other / or for ſome prouable cauſe. And then promise faithfully that this faut ſhall teche hym to beware from thens forth and alſo that theyr benefytes that forgyue hym ſhal bynde hym affuredly neuer to do ſo more / but perpetually to abhorre any fuche offence / and with that to ſhewe ſome great hope ones to make them a great recompence & pleaſure therfore agayne. After this let hym (yf he can) declare ſome kynred betwene them & hym / or frendſhyp of his elders / & amplifie the greatenes of his ſeruice & good harte towarde them / yf it ſhall please them to forgiue this faut / & adde the nobylty of them that would fayne haue hym delyuered. And than he ſhall soberly declare his owne vertues & fuche thyngeſ as be in hym perteynyng to honeſte and prayſe / that he may by theſe meaneſ ſeme rather worthy to be auaunced in honour for his good qualitieſ / than to be puniſhed for his fall.

This done / let hym reherce ſome other that haue be forgyuen greater fautes then this is. It ſhall alſo greatly auayle yf he can ſhewe that he hath in tyme afore ben in auctoritie and bare a rule ouer other / in the whiche he was neuer but gentyll and glad to forgyue them that had offendeth vnderneath hym. And then let hym extenuate [E vi b] his own faute / and ſhewe that there folowed nat ſo great damage therof / and that but lytle profyte or

¹ B. goodnes.

honesty wyl folowe of his punishment. And finally then by comon places to moue the iudge to mercy & pitye vpon hym.

The aduersary must (as I haue shewed afore) vse for his purpose contrary places.

Some Rhetoriciens put no mo places of deprecation than only this that is here laft reherced of Tulli / that is to do our best to moue the iustice to mercy and pitye.

Remocion of the faute is whan we put it from vs and lay it to another.

Example.

The Venecians haue commannded certayne to go in ambassiaide to Englande / and therupon appointed them what they shal haue to bere their charges / whiche money assignd: they can nat get of the treasourer: At the daye appoynted they go nat / wherupon they are accused to the Senate. Here they must ley the faut from them to the treasourer / which dispatched them nat accordyng / as it was ordeyned that he shulde.

Translacion of the faut is / whan he that confesseth his faut sayeth that he dyd it: moued by the indignacion of the malyeyouse dede of an other.

[E vii a]

Example.

Kynge Agamennon / whiche was chief capitayne of the Grekes at the siege of Troye / whan he cam home was llyne of Egistus by the treason of Clitenestra his owne wyfe / whiche murder his sonne Orestes seynge / whan he cam to manies state / renenged his fathers deathe on his mother / and flewe her / wherupon he was accused. Here Orestes can nat deny but he flewe his mother: but he layeth for hym that his mothers abominable iniury constrainyd him thereto / bycause she flewe his father.

And this is the handelynge of confirmyacion in state assumptiue.

The conclusions in these oracyons are lyke to the conclusions of other.

Of state legitime / and the handelynge therof.

State legitime is whan the controuersy standeth in definicion or contrary lawes / or doutful wrytynges / or racyocynacyon / or transflacyon.

Of definicion.

Definicion (as Tully wryteth) is whan in any wrytynge is some
worde put / the significacion wherof requireth exposition.

[E vii b]

Example.

A lawe maye be made that suche as forfake a shyppe in tyme of
tempest shulde lese theyr ryght that they haue / eyther in the shyppe
or in any goodes within the same vessell / & that they shall haue the
ihyp & the goodes that abyde styll in her.

It chaunced .ii. men to be in a lytle crayer / of the whiche vessell
the one man was both owner and gouernour / and the other posseſſor
four of the goodes. And as they were in the mayne fee / they
espied one that was swymmyng in the fee / and as well as he coulde
holdyng vp his handes to them for focour / wherupon they (beyng
moued with pytle) made towarde hym / & toke hym vp. Within a
lytle after arose a greate tempest vpon them / and put them in suche
ieopardy that the owner of the shyp (which was also gouernour)
lepte out of the shyp into the shyp bote / & with the rope that tyed
the bote to the shyp : he gouerned the shyp as well as he colde.
The merchant that was within the shyp / for great dispayre of the
losſe of his goodes / wyllyng to flee hym selfe : threst hymſelfe in
with his owne fworde / but as it chaunced the wounde was neyther
mortall nor very greuouse / but natwithſtandynge for that tyme he
was vnable to do any good in helpyng the shyp agaynst the impet-
uousnes of the storne. The thyrde [E viii a] man (whiche nat longe
afore had ſuffered shypwracke) gate hym to the sterne : and holpe
the vessell the best that laye in hym.

At length the storne ſeaced / and the shyp came ſafe into the
hauen / bote and all. He that was hurt (by helpe of Chirurgiens)
recouered anion. Nowe euery of theſe thre chalenge the shyp &
goodes as his owne. Here euery man layeth for hym the lawe
aboue reherced, and all theyr controverſy lyeth in the expoundynge
of thre wordes / abydynge in the shyp / and forſakynge the shyp /
and what we ſhal in ſuch caſe cal the shyp / whether the bote as
part of the shyp : or els the shyp it ſelfe alone.

The handelynge hereof is. Fyrſt in few wordes and plaine to
declare the significacion of the worde to our purpose / and after
ſuche maner as may ſeme reſonable to the audience. Nexte / after

sache exposition to declare and prone the sayd exposition true / with as many argumentes as we can.

Thyrdely to ioyne our dede with the exposition / & to shew that we onely dyd obserue the very entent of the lawe. Than to refell the exposition of our aduersaries / & to shew that theyr exposition is contrary to reason and equitie / and that no wyse man wyl so take the law as they expounde it / and that the exposition is neither honest nor profitable / [E viii b] and to conter theyr exposition with oures / and to shew that oures conteyneth the veritie and theyrs is false. Oures honest / reasonable / & profitable : Theyrs clene contrarye. And then serche out lyke examples / either of greater maters or of leſſe / or els of egall maters / and to manifest by them / that our mynde is the very truthe.

Contrary lawes are where the tone semeth evidently to contrarye the other. As yf a law were that he whom his father hath forsaken for his sonne / shall in no wyse haue any porcion of his fathers goodes. And au other lawe / that who so euer in tyme of tempest abydeth in the shyp : shall haue the shyp and goodes. Then pose that one whiche was of his father so abiecte & denied for his chylde : was in a shyp of his fathers in tyme of sore wether / and whan al other for feare of lesyng themſelue forſoke the shyp and gate them into the bote : he onely abode / and by chaunce was ſafe brought into the hauen / wherupon he chalengeth the vefel for his / where as the party defendant wyl lay agaynſt hym that he is abdicate or forſaken of his father / and so can nat by the lawe haue any parte of his goodes. Here muſt he ſay agayn for hym that this law alleged doth all only priuate from theyr fathers goodes ſuche as be abdicate & yet [F i a] wolde chalenge a part as his children / but that he doth nat ſo / but requireth to haue the shyp / nat as a ſon to his father : but as any other ſtranger myght / feyng the law gyueth hym the shyp that abydeth in her in tyme of neceſſity. And ſo the handelyng of this ſtate / eyther to deny one of the lawes and ſhewe that it hathe bene afore anulled / or els to expounde it after the ſence that is mete to our purpose.

Doubtful wrytynge is where either the mynde of the author ſemeth to be contrary to that that is wryten / which ſom call wrytynge & ſentence / or els it is whan the wordes may be expounded dyuers wayes.

¹ B. inserts it.

Exaimeple of the fyrist.

Men say it is a law in Caleys that no straunger may go vpon the towne walles on Payne of deth. Now then pose that in tyme of warre the towne beyng harde betieged / an alien dwellynge in the towne getteth hym to the walles amoung the souldiers / & doth more good than any one man agayn. Now after the siege ended he is accused for transgessyng of the lawe / which in wordes is euidently against him. But here the defendaunt must declare the wryters mynde by circumstaunces / what straunger he dyd forbyd , and what tyme / and after what maner / and in what intent [F i b] he wolde nat haue any straunger to come on the walles / & in what intent his mynde might be vnderstanden to suffre an alien to go vpon the walles. And here must the effecte of the straungers wyl be declared / that he went vp to defend the towne to put back their enemies. And therto he must say that the maker was nat so vndiscrete & vreasonable that he wolde haue no maner of exception which shuld be to the welth / profite / or preferuacion of the towne. For he that wyl nat haue the law to be vnderstanden accordyng to equitie / good maner / & nature / entendeth to proue the maker therof either an vniust man / or folyshe or eniuouse.

The accuser contraryly shall prayse the maker of the law for his great wisdom / for his playne writyng without any maner of ambiguity / that no straunger shulde presume to go vpon the walles / & reherce the lawe word for worde / & than shew some reasonable cause that mouyd the maker of the law that he wolde vterly that no straunger shuld ascend the walles: &c. Example of the secound.

A man in his testament gyueth to two yonge daughters that he hathe two hundred shepe / to be delyuered at the day of theyr maryage / on this maner. ~~for~~ I wyll that myne executoires shal gyue to my daughters at the tyme of theyr maryage [F ii a] every of them an hundred shepe / suche as they wyll. At the tyme of maryage they demaundē theyr cattell / whiche the executoires deliuer nat of suche sort as the maydens wold / wherupoz the controuersy ariseth. For the executoires say they are bounde to delyuer to euery of them an hundred shepe / suche as they that be the executoires wyll. Now here standeth the dout / to whom we shall referre this worde *they* / to the daughters / or to the executoires.

* B. som.

The maydens say nay thereto / but that it was theyr fathers mynde that they shulde haue euery of them an .C. shepe / suche as they that be the doughters wyll.

The handelyng of doutfull wrytyng is to shew yf it be possible that it is nat wryten¹ doutfully by cause it is the comon maner to take it after as we say / & that it may sone be knownen by suche wordes as partly go before that clause & partly folow / & that there be few wordes / but if they be considered so alone / they may anon be taken doubtfully. And first we shal shewe if we can that it is nat doubtfully wryten / for there is no reasonable man : but he wyl take it as we say.

Than shall we declare by that that goeth afore / & foloweth, that it is clerly euyn as we say / & that yf we consider the wordes of them selfe they wyl seeme to be of ambiguite [F ii b] but seyng they may by the rest of the writing be evident ynough / they ought nat to be taken as doubtfull. And then shew that yf it had ben his minde that made the wrytyng to haue it taken as the aduersarye sayeth : he neded nat to haue wryten any such wordes. As in the example now put / the maydens may say that yf it had bene theyr fathers mynde that the executours shulde haue delyuerner suche shepe as it had pleased them to delyuer : he neded nat to haue added these wordes *such as they wyll*. For yf they had nat ben put / it wolde nat haue bene dought but that the executers² delyuerynge euery of hem an hundred shepe (whatsoeuer they were) had fulfylled the wyll / and could haue ben no further compelled / wherfore if his mynde was as they say / it was a great folye to put in tho wordes whiche made a playne mater to be vnplaine. And than finally shew it is more honest and conuenient to expounde it as we say : then as our aduersaryes do.

Raciocinacion is whan the mater is in controuersy / wherupon no law is decreed / but yet the iugement therof may be fouzde out by lawes made vpon maters somdele resemblyng thereunto.

As in Roine was this law made / that yf any persone were distraught / his possessyon [F iii a] and goodes shulde come to the handes of his next kynne.

And an other law / what any householder dothe orden³ and make as concernyng his householde and other goodes / it is approbated and confirmed by the lawe. And an other law / if any householder

¹ B. executours.

² B. ordeyn.

dye intestate / his monye & other goodes shall remayne to his next kyn. It chaunced one to kyll his owne mother / wherupon he was taken and condempned to deathe / but whyle he lay in pryson / certayne of his familiare frendes cam thyther to hym / and brought with them a clerke to wryte his testament / whiche he there made / & made suche executors as it pleased hym. After his deth his kyndmen chalenge his goodes, his executors say them nay / wherupon aryseth controuersy afore the iustice.

There is no lawe made vpon this case / whether he that hathe kylled his mother may make any testamente or nat / but it may be reasoned on bothe partyes by the lawes aboue rehersed. The kynmen shall allege the lawe made for them that be out of theyr myndes / presupposyng hym nat to be in muche other case / or els he wolde nat haue done the dede. The contrary parte shal allege the other lawe / and shewe that it was none alienacion of mynde : but some other [F iii b] cause that moued hym to it / and that he hathe had his punyfchment therfore / which he shulde nat haue suffered of conuenient if he had bene besyde hym selfe.

Translacion is whiche the lawyers cal excepcion / as yf a person accused pleade that it is nat lawfull for the tother to accuse hym / or that the Juge can be no juge in that cause. &c.

The conclusion of the Author.

These are my speciall and singuler goode Lorde whiche I haue purposed to wryte as touchyng the cheyf poynt of the .iii. that I sayd in the begynnynge to long to a Rhetoricien / and which is more difficultie than the other .iii. so that it ones had / there is no very great maystry to come by the resydue. Natwithstandyng yf I se that it be fyrst acceptable to your good lordship in whom nexte god and his holy saintes I haue put my chyef confidence and trust / and after that yf I fynde that it semeth to the reders a thyng worthy to be loked on / and that your lordshyp and they thynke nat my labour taken in vayne : I will assay my selfe in the other partes / and so make and accomplaysshe the hole werke. But nowe I haue folowed the facion of Tully / who made a feuerall werke of inuencion: And [F iv a] though many thynges be left out of this treatise that ought to be spokēn of / yet I suppose that this shall be suffycyent for an introductyon to yonge begynniers / for whom all onely this boke is made. For other that bene entred all redy shal haue lytle nede of my labour / but they may seke more meter

thynges for theyr purpose / either in Hermogines among the Grekes/ or els Tully or Trapefonce / among the Latines. And to them that be yonge begynnners nothyng can be to playne or to short / wherfore Horace in his boke of the craft of Poetry sayeth

*Quicquid praeclipes esto breuis ut cito dicta
Percipiant animi dociles teneantque fideles.*

what so euer ye wyll teache (sayth he) be brief therin / that the myndes of the herers or reders may the easiyer perceyue it / and the better bere it away. And the Emperour Justinian sayeth in the fyrfte boke of his institucions in the paragraph of iustice and right / that ouer great curiositie in the fyrfte principles / make hym that is studiouse of the facultie either to forfake it or els to attayne it with very great and tedyouse labour / and many tymes with great dispayre to com to the ende of his purpose. And for this cause I haue bene ferre lesse curiouse then I wolde els haue ben / and also a great dele the shorter. If this my labour [F iv b] may please your lordshyp / it is the thynge that I do in it moste desyre / but yf it semeth bothe to you & other a thynge that is very rude and skant worthe the lokynge on : yet Aristotles wordes shal comfort me / who sayeth that men be nat onlye bounde to good autours²: but also to bad / bicause that by their wrytyng they haue prouoked cunnynger men to take the mater on hande / which wolde els peraduenture haue helde theyr peace. Truely there is nothyng that I wolde be more gladder of / than if it might chaunce me on this maner to cause them that be of moch better lernynge & excercise in this arte than I, of whom I am uery sure that this realme hath great plenty / that they wolde set the p̄enne to the paper / & by their industry obscure my rude ignorance. In the meane space I beseeche the reders / yf they fynde any thynge therin that may do them any profyte / that they gyue the thankes to god and to your lordshyp / and that they wyll of theyr charitie pray vnto the blesyd Trinite for me / that whan it shal please the godhed to take me from this transitory lyfe / I may by his mercy be of the nombre of his electe to perpetuall saluacyon.

Imprinted at London in Fletestrete³ / by me Robert Redman / dwellyng⁴ at⁵ the³ sygne⁶ of⁷ the³ George.³ *Cum priuilegio.*

² B. authors.

³ Added in B.—by saynt Dunstones chyrche at the sygne of the George.

⁴ Omitted in B.

⁵ Added in B.—The yere of ourlorde god a thousande, fyue hundred and two and thury.

MELANCHTHON'S
INSTITVTIONES RHETORICÆ

[THE PORTION ON INVENTION.]

EXTRACT FROM MELANCHTHON'S "INSTITVTIONES
RHETORICÆ."

(The Portion on Invention.)

[Sig. a ii recto] : ELEMENTA RHETORICES.

Partes differentium sunt, inuenire, iudicare, disponere, & eloqui. Difficillimum est inuenire quid dicas, quare de inuentione plurima sunt a rhetoribus tradita.

Inventionem loci quidam continent, qui indicant de quois themate, quid dicas, non inuenitur thema, sed proposito themate, inueniuntur loci, quibus ipsum uel muniatur, uel ornetur, ut proposito themate, Clodius iure cœfus est, Rhetor e locis suis argumenta petit confirmandi thematis. Quare de thematum differentia dicendum est.

Sicut cauſlarum ita thematum genera quatuor sunt. Dialecticum, demonstrativum, deliberativum, iudiciale.

Dialecticum Thema est aut simplex, ut pietas, aut compositum, ut pietas est Iusticia.

Est autem dialecticum genus, certa quædam & simplex docendi ratio, qua rerum naturæ, cauſæ, partes & officia certis quibusdam legibus inquiruntur, ut exakte & proprie nihil cognosci queat, nisi dialecticis organis astrictum. Est enim obseruatio quædam naturæ, qua in quavis re ipsa hominum ratio confyderat, quid prius, quid posterior, quid proprium, quid impróprium fit.

Loci seu organa simplicis thematis.

Finitio,

Cauſæ,

Partes,

Officia, Vt si quid sit iusticia, quæ cauſæ eius sunt, quæ partes, quæ officia, inquisieris, iam totam iusticiæ naturam perscrutatus es, & de iis quidem dialectici uiderint. Nam huic simplicium thematum generi, quatenus cum rhetore conueniat, infra docebimus. Est enim ubi definitionibus ubi diuisionibus utitur. Quæ ut sunt apud dialecticum certæ & compendiariæ, ita apud rhetorem amplæ & splendidæ.

DE COMPOSITO THEMATE.

Omne compositum thema, aut probatur, aut improbatur.

Probatio aut improbatio argumentis constat. Iam omne compositum *θέμα* siue rhetoricum, siue *διαλεκτικὸν*, in dialecticas figuratas referri potest. Itaque inter rhetorica & dialectica sic conuenit, quod de proposito themate dialecticus certa lege uerborum & anxie obseruata sermonis proprietate, ne plus minusve dicatur quam res concepta apud animum præscripsit, differit. Rhetor uero etiam aliunde addit simplicibus argumentis ornamenta quædam. Ego certum argumentorum iudicium a dialecticis, ornamentorum figuratas a rhetoribus peto, ut in Miloniana, sic argumentari dialecticus poterit, Vim uì repellere fas est, Clodium occidit, uim uì repellens Milo, ergo Clodius iure cæsus est. Quem *συλλογισμὸν* Marcus Cic. uix multis paginis absolvit. Neque uero de eo apte iudicare poteris nisi reuocaris in simplicem, & *διαλεκτικὴν* formulam, indicante interim rhetore, quæ ornamenta sint addita præter necessitatem, in hoc tantum ut illustrent, ut augustinorem reddant orationem.

Loci seu organa argumentorum inueniendorum, quibus composita *θέματα* muniuntur,

Finitio,
Causæ,
Partes,
Similia,
Contraria.

De argumentorum locis infra agemus, omnino enim rhetori & dialectico de locis conuenit. Nam qui modi sint, & quæ formulæ argumentorum nectendorum dialecticus docet, ubi *συλλογισμοὺς*, enthymematum, & *ἀπαγωγῶν* formas tradit.

DE GENERE DEMONSTRATIVO.

Demonstratiuum genus, quo utimur laudando, aut uituperando, celebre quondam in actionibus publicis, ut indicant Demosthenis, item pleræque Thucydidis conciones. Nunc ad scholas & ad exercitium iuuentutis relegatum est. Est autem triplex. Nam aut personæ laudantur, ut Cæsar, aut facta, ut Scæuola factum, aut res, ut iusticia, pietas. Semper itaque simplicis *θέματος* genus demonstratiuum est.

DE PERSONARUM LAVDE.

Orationis partes a rhetoribus præscriptæ sunt.

Exordium

Narratio

Contentio

Peroratio.

Quas partes deinceps in singulis generibus requiremus. Neque uero ubique omnium usus est.

DE EXORDIO.

Exordium non modo in hoc genere sed in aliis etiam tribus locis constat.

Benevolentia

Attentionis

Docilitatis.

Benevolentia petitur tum a rebus, tum a personis. Facillimus & usitatisimus benevolentiae tractandæ locus est officium personarum. Quale est exordium Nazianzeni in Basiliæ laudem. Debere se Basiliū laudare, tum propter amicitiae rationes, tum propter memoriam pulcherimarum uirtutum, tum ut exemplum habeat ecclæfia optimi & sanctissimi episcopi.

Ab Officio orditur Cicero pro Archia. Si quid est in me ingenii iudices, quod sentio quam sit exiguum, aut si qua exercitatio dicendi, in qua me non infiior mediocriter esse uersatum, aut si huiuscē rei ratio aliqua ab optimarum artium studiis, & disciplina perfecta, a qua ego nullum confiteor aetatis meæ tempus abhoruisse; earum rerum omnium, uel in primis hic A. Licinius fructum a me repetere propè suo iure debet.

Ab Officio exorditur primam Epistolam Cice. Ego officio ac pietate cæteris satisfacio omnibus, mihi ipsi non satisfacio, tanta enim est magnitudo meritorum tuorum.

Ab iis quos laudamus, ut superiorem esse eum, de quo dicturus es, omni orationis facultate. Sic de Basilio Gre. Nazian.

Ab iis coram quibus dicitur, ut ex re eorum esse, coram quibus dicis, ut hunc laudes, satis scire quam charus ciuitati fuerit, ideo publici officii gratia laudandum esse.

Principio notare, perstringere, criminari aduersarium, ut pro Aulo Cee. si quantum in agro, locisq; desertis audacia potest, tantum in foro atque in iudiciis impudentia ualeret, non minus in

cauſſa cederet Au. Cecin. Sexti Ebutii impudentiae, quam tum in ui facienda cefſit audacie. Et haec quidem ſunt communes formulae benevolentie.

Commode trahuntur exordia a locis, temporibus & ab aliis circumſtantiis, quae forte fortuna inciderunt. Ut Cice. pro Celio A Tempore orſus eſt. Si quis forte nunc iudices adſit ignarus legum, iudiciorum, conſuetudinis uestræ, miretur prolecto que fit tanta atrocitas huius cauſſæ, quod diebus festis, ludisque publicis, omnibus negoциis forenſibus intermiſſis, unum hoc iudicium exerceatur.

A Temporvm periculis orſus eſt pro Sexto Roscio.

Peregrina exordia ſepe ducuntur,
A ſententiis,
A uotis,
A moribus,
A legibus.

Inſtitutis gentium, Ut Aristides in Encomio Romæ, ſic Demoſthenes in Aefchinem a uoto orſus eſt. Optare ſe a diis immortali bus ut quam gratiam hactenus expertus fuiffet in Rep. gesta, eam nunc in hac cauſſa experiretur. Et pro Murena Cice. & de reditu ſuo. Orditur & a more pro lege agraria.

Idem fere in epiftolarum exordiis obſeruatur quamquā in hiis minus eſt artificiū.

DE INSINVATIONE.

Inſinuatio eſt cum principio orationis excusamus turpitudinem, quae in cauſſa uidetur eſſe, ut ſi quis Therſiten laudaturus fit, cum hunc damnarint poetae, damnarit & fama, ſic ordiatur. Boni uiri eſſe ſuſpectum habere, quidquid uel poetae, uel fama proberet aut damnaret. Ideo confidere auditores magis quae dicturus ſis, quam que incerta fama acceperint conſyderaturos.

Exemplum habes exordium Moris Erasmi.

In exordiis cauendum, ne longius petantur, item ne nimis prolixia ſint.

Accommodata ſunt exordiis haec affectuum uerba Gaudeo, doleo, miror, gratulor, opto, uereor, precor, & ſimilia, ut apud Paulum εὐχαριſτῶ.

DE ATTENTIONE.

Attenti erunt ſi de nouis, neceſſariis, utilibus rebus; item diſſi- cilibus, aut obſcuris, dicturum te affirimes. Eſt & ubi benevolentiam captes, a nouitate, & utilitate argumēti.

DE DOCILITATE.

Dociles, si dicturum te affirmes breuiter & dilucide.

Narratio qua personæ laudantur, est historica commemoratio totius vitæ.

Loci sunt natales, puericia, ubi de ingenio dicitur, & educatione. Adulescentia, ubi studia consyderantur. Iuuentus & senectus, ubi res publicæ aut priuatum gestæ consyderantur, mors, & quæ illam fecuta sunt.

Quidam personarum laudes partiuntur in tria genera bonorum, & ab illis incipiunt narrationem, quod non admodum probo, quanquam in coimmemorandis gestis rebus, si non potest historicus ordo temporum obseruari, & multa facta sunt congerenda, patiar commemorari primum prudentiæ, deinde iusticiæ, postea fortitudinis, postremum temperantiæ exequpla. Ut si sis Augustinum laudatur, recentitatem natalibus, ubi iam ad egregia facta peruentum est, patiar ea distribui in locos uirtutum. Sic Cicero laudauit Pompeium. Ego sic existimo in summo Imperatore quatuor has res inesse oportere, scientiam rei militaris, virtutem, auctoritatem, felicitatem.

In reccnsendis factis nonnunquam ad alicuius uirtutis peculiarem laudem per amplificationes excurrendum est.

Itaque oratio, qua persona laudatur, est continua quedam historica expositio laudum personæ, & ab historia non differt hoc genus orationis, nisi quod historia narrat simplicius, splendidius orator, & magnificentius.

Caret confirmatione & confutatione, quia non agitur de dubiis rebus. Quanquam alicubi solet dubium incidere, quod aut defendendum, aut excusandum est. Ut si quis Camillum laudet, defendat, non uiolasse pactum, quod cum Gallis Romani perpigerant. Ita si quis Petrum laudet, ostendat lapsum esse, ut declareret exemplum sui. in eo diuina misericordia.

DEMONSTRATIO FACTORVM.

Licebit ordiri a commodis eorum, apud quos dicimus, ut si quis Scæuolæ factum laudaret, qui Romam obsidione Porsenæ liberauit. Non dubium est quirites magnæ uoluptati uobis memoria in Scæuolæ esse, qui tot Rempub. commodis unico facto auxit. Atque haec uidetur proxima ordiendi ratio.

Ab aliis modis ut a nostra persona, a locis, a temporibus, si qua occasio suppeditabit argumentum, ordiri potest. Ut pro M. Mar-

cello a tempore & persona Cæfaris orditur Cice. Diuturni silentii patres conscripti, quo eram his temporibus usus, non timore aliquo, sed partim dolore, partim uerecundia finem hodiernus dies attulit, idemque initiem, quæ uellem, quæque sentirem meo pristino more dicendi, tantam enim mansuetudinem, tam inusitatam inauditamque clementiam, tantum in summa potestate rerum omnium modum, tantamque incredibilem sapientiam, ac pene diuinam tacitus nullo modo præterire possum.

DE NARRATIONE.

In hoc genere raro utimur integris narrationibus, nisi sicubi publice dicendum esset apud eos, qui non tenerent prorsus historiam facti.

Utimur autem propositionibus ut in hunc modum.

Inter ea, quæ præclare gesisti C. Cæsar, non aliud factum plus meretur laudis restitutione M. Marcelli. Sic proponit Cice, in oratione pro M. Marcelllo. In hunc modum in epistola, Inter ea, quæ mihi contigerunt feliciter longe primum puto quod tua mihi confuetudo. &c.

DE CONFIRMATIONE.

Loci sunt honestum, utile, facile, uel difficile. Honestum a natura rei petes, qui locus est in ingenio positus dicentis, & a philosophis petendus.

Vtilitas & facilitas, uel difficultas a circumstantiis petantur.

Circumstantiae sunt, quis, ubi, quando, apud quos fiat, & quorum auxilio. &c.

DE CONFUTATIONE.

Fere non incidit in laudes confutatio, quia non laudantur ambiguæ, sed certa, quanquam alicubi sit aliquid excusandum, aut defendendum, ut si quis de Camilli facto dicat, quod patriam restituit & liberauit a Gallis. Hic defendendum est & demonstrandum pactum non esse violatum, quod inierat Sulpitius.

Sunt autem loci confutationis contrarii confirmationi.

DE PERORATIONE.

Peroratio breui enumeratione constat & affectu. In lœtis mouemus ad congratulandum & imitandum. In tristibus ad conumiserandum.

DEMONSTRATIO RERVM.

EXORDIUM.

Optimum exordium fuerit, si ab aliqua insigni laude eius rei de qua dicturus es ordiare. Cæterum licebit, & a personis, & ab officio, a locis, temporibus, aliisque modis ordiri, de quibus supra dixi.

Iam & hic spectandum si rem turpem laudaturus sis, ut insinuatione anteuortas animos audientium, & excuses turpitudinem, vel exemplis, vel argumentis.

Exemplum habes Erasmicae Moriae præfixam Epistolam.

NARRATIO.

In hoc genere narratio nulla est, sed simpliciter proponitur, estque uice narrationis propositi.

Elegans exemplum est apud Politianum in laudem historiæ.

Inter omne scriptorum genus, quibus vel Græcæ vel Romanae literæ floruerunt, hi mihi haud dubie de humanis rebus egregie meriti esse nidentur, per quos aut excellentium populorum aut summorum principum aut omnium illustrium virorum res gestæ fidelibus historiarum monumentis commendatae sunt.

Ita si quis de pace dicturus sit, proponat. Inter ea, quæ vel publice, vel priuatim salutaria rebus humanis contingere possint, nihil pace prius est.

CONFIRMATIO.

Loci sunt, honestum, utile, facile, seu difficile. Multa enim communia habet hoc genus cum genere deliberatiu.

Honestum a natura petitur, item a personis, ab inuentoribus, a uetusitate.

Vtilitas & facultas in circunstantiis polita est.

Exemplum habes historiæ laudationem apud Politianum item apud Erasmum de re medica. Convtatio locis contrariis constat.

Peroratio constat enumeratione & affectu, ut supra.

DE GENERE DELIBERATIVO.

Genus deliberatiuum est, quo suademus, aut dissuademus, petimus, hortamur, aut dehortamur. Ususque eius multis est, cum alias in ciuilibus negotiis, tum in Epistolis.

EXORDIVM.

Non aliter atque supra docuimus ordiri, & hic licebit, maxime uero aut ab officio personæ, ne quis putet consuli priuato affectu in rem nostram, sicut apud Salusti. Cæsar. Omnes, qui de rebus dubiis consultant, uacare debent metu, timore, auaricia.

Aut a periculi, uel rei magnitudine, quales pleraque sunt apud Livium ut lib. V. Camillus orditur in hunc modum. Ardeates ueteres amici, noui etiam ciues mei (quando & uestrum beneficium ita tulit, & fortuna hoc egit mea) nemo uestrum conditionis meæ oblitum me huc proceſſe putet, sed res, & commune periculum coagit, quod quisque possit in re trepida præſidii in medium conferre.

Cæterum & aliunde petuntur exordia. M. Cicero pro lege Manilia benevolentia tantum a persona sua capiat, ostendens qua occaſione licuerit in publico dicere, quia scilicet pretor designatus fit. Est ubi aduersarii perſtinguntur ut ſæpe apud Liuum.

Est ubi mores publici, aut priuati notantur, ut in oratione Porci Catonis contra luxuriam mulierum Deca. llii. lib. llii.

Est ubi ordimur a locis, temporibus, item allis incidentibus rebus, ut a comprecione Liuius contra bacchanalia lib. ix De. llii. Nulli unquam contioni tam non ſolum apta, ſed etiam neceſſaria hæc ſolemnis deorum comprecatio fuit, quæ uos admonere debeat, hos eſſe deos, quos colere, uenerari, precarique maiores nostri inſtituiffent.

Breuiiter it exordiis generis deliberatiui, officium personæ, & neceſſitas, aut commoditas rei conſyderantur.

NARRATIO.

In deliberationibus rarae ſunt narrationes, ſed fere propositiobus uice narrationum utimur, ut vindicare Germaniam a pontificia tyranide, & pium, & neceſſarium eſt hoc tempore.

Nonnunquam breuibus narrationibus utimur, ut cum aliiquid ante ea de re geſtum eſt, de qua deliberamus, ut apud Cic. pro lege Manilia, in hunc modum & narratiuncula eſt in oratione Annibalis ad Scipionem Deca. llii. lib. x. mire elegans & uenusta.

Narrationem uero debet ſequi propositio eius ſententia, de qua deliberatur, ut apud Liuum. Quod igitur nos maxime abominare-
mūr, uos autem ante omnia optaretis, in meliore uerba fortuna agitur agimusque ii, quorum & maxime interest pacem eſſe, & quod-
cumque egerimus, ratum ciuitates nostræ habituæ ſunt. Hæc enim propositio eſt quam e narratione colligit.

CONFIRMATIO.

Loci sunt, honestum, utile, facile, uel difficile. Honestas complectitur uirtutes, prudentiam, iusticiam, pietatem, liberalitatem, clementiam, fortitudinem, temperantiam. &c.

Proinde qui uolet ab honesto argumentari, eum oportet uirtutum naturas probe tenere. Hic sacrorum scriptorum, poetarum, philosophorum sententias, scite dicta, item historicorum exempla oportet in promptu habeamus.

Vtilitas, in omni cauſa spectandum est num quod possit a necelario duci argumentum, uincitur enim necessitate utilitas. Ceterum utilitas posita est in circumstantiis, & nascitur ex ipſa cauſa.

Facile, uel difficile, huc pertinent possibile & impossibile. Vinci-
tur enim impossibili difficultas, ideo efficacius argumentum est, quod hinc ducitur.

Difficultas commemorat pericula, quae uel ex ipſa cauſa, uel a locis communibus, uel a conditione fortunae colliguntur. In hoc toto genere plurimum nalent exempla.

CONFUTATIO.

Petenda est a contrariis locis. Observabis autem ubi honestas a personis petitur, agi rem locis demonstratiuis.

Peroratio enumeratione constat, & affectu. Qualis illa est apud Onidium in .iii. Methamor. in Vlyſſis oratione contra Ajacem.

DE GENERE IUDICIALI.

Iudiciale genus est quo controuerſiae, ac lites continentur. Forenſe quondam erat, & nunc a nobis eatenus tractabitur, quatenus in literatis cauſis eius uſus est. Nam ut de ciuilibus negociorum, ita iſdem fere locis de literatis cauſis disceptari potest, ut cum Paul. probat, non esse ex operibus iusticiam, certe ciuili argumento uſus est, cum ait, Abraham ante circuncſionem iustificatus est, ergo non ex circoncſione.

Statvs est summaria ſententia de qua proprie litigatur, atque adeo breue pronunciatum, seu propositio qua est controuerſiae ſumma, & ad quam omnes probationes, etiam argumenta referuntur, ut, Fides iustificat, haec summaria ſententia diſputationis Paulinæ dicitur ſtatus. Milo Clodium iure occidit, haec summaria ſententia orationis Milonianæ dicitur ſtatus.

Singulis statibus sui sunt argumentorum inueniendorum loci. Proinde status recensendi sunt, & digerendi, ut quocunque themate proposito scias quibus argumentandi locis utendum sit.

Sunt autem tres status, Coniecturalis, Legitimus & Iudicialis.

Coniecturalis ex quæstione an sit nascitur, ut cum quæritur occidit ne Aiacem Vlyfes.

De legitimo, & iuridicali postea.

Coniecturalium, & in aliis generibus, ut postea indicabimus multis usus est, ideo eius loci diligenter obseruandi sunt.

DE EXORDIIS.

Exordiorum ratio in iudicali genere eadē est, quæ supra. Ordinur enim pro conditione caussæ, uel ab aduersarii criminazione, uel ab eius pro quo dicimus, commiferatione, qui locus & accusatori & defensori mire utilis est. Alias item a nostræ personæ officio. Alias a iudicis persona. In promptu sunt exempla quibus pro regulis utaris.

Narratio in hoc genere est historica facti commemoratio. Narrabit ergo accusator, sparsis in narrationem multis suspicionibus, quæ cauſam adiuuare uideantur.

Ex narratione certam collige sententiam, quam probaturus es, nam rhetores narrationi enumerationem subiiciunt, quæ eorum, de quibus dicturi sumus, propositio est, ut pro Milone Cice. post narrationem ait. Nunquid igitur aliud in iudicium uenit / nisi uter utri infidias fecerit? Profecto nihil. Si hic illi, ut ne sit impune: si ille huic, tum nos scelere foluamur: quo nam igitur pacto probari potest infidias Miloni fecisse Clodium? Et hactenus proponit Cicero.

DE CONFIRMATIONE.

Accusatoris confirmatio ab his locis petitur, uoluntate, & potestate, suspicionem enim arguunt hæc duo uoluisse lædere, & potuisse.

Voluntatis loci duo sunt, qualitas personæ & caussa inducens ad suscipiendum facinus. Huius duo sunt loci, impulsio & ratiocinatio.

Impulsio est affectus animi, ira, odium, auaricia, aut quæcunque cupiditas.

Ratiocinatio est, quæ a spe commodorum ducitur. quale primum est in Miloniana caussa, ubi probatur Miloni Clodium infidiatum esse, Satis est quidem in illa tam audaci, tam nefaria belua docere magnam. si camisem; magnam spem in Milonis morte propositam

fuſſe. Quam ſententiam deinde rhetoriciſ figuriſ amplificat, inquiens, Itaque, illud Caſtianum, cui boni fuerit, in hiſ personiſ ualeat: & ſi boni nullo emolumento impelluntur in fraudem, improbi ſæpe paruo.

Quartvs Locvs Comprobatio, cum doceamus / ad hunc ſolum per-
tinuiſſe commoda.

Potestas tota conſtat circumſtantiſ, loco, tempore, uiribus, item ſigniſ, que uel maxime uipſioneſ arguunt, & conſirmant.

Signa ſunt dicta, aut facta, antecedentia, uel conſequentiа.

Antecedens, ut Clodium ait Cicero dixiſſi Milonem triduo peri-
turum. Item Clodium habuiſſe ſecum comites, barbaros feruos.

Seqvens ut fugit, expalluit, erubuit.

Iideiſ ſunt defenforiſ loci, ſed ille addet abſolutionem & inuer-
ſionem, quibus signa diluuntur.

Absolvitio eſt cum doceamus id ſignum, quod factum eſt, miſericordia & humanitate factum eſſe, ut ſepelii, ſed motuſ miſericordia.

Inverſio qua doceamus ſignum, quod contra nos prodiſit, pro nobis
facere, ut non ſepeliffem, ſi occidiſſem. Ita Thucydides non ani-
mauertendum in Myteneos ne deſciſcant. Ita Paulus in Gala.
Nunquid lex aduersus promiſſioneſ, ſi non iuſtificat, Imo ſi lex iuſti-
fiſcaret, eſſet aduersus promiſſioneſ dei.

Peroratio conſtat enumeratione & affectu. Accuſator enim
inuehitur in reum. Rurſus reuſ iudicis animuſ follicitat miſericordia & ſimilibus affectibuſ.

Sicut coniectraliſ ſtatus ex queſtione an ſit naſcitur, ita cum
de facto conſtat, queſi ſolet de iure uel iniuria facti, atque hic
ſtatus eſt qui iuſ, aut iniuriā continent. Negocialiſ dicitur, uel
Iuridicialiſ.

Exordia, atque narrationeſ a ſuperioriбуſ pete.

Confirmationiſ proprii ſunt loci.

Est autem duplex ſtatus negocialiſ, abſolutuſ, & aſſumptiuſ.

Absolviti ſtatus ſunt, cum ſimpliciter aliiquid defenditur, ut in
Miloniana ſimpliciter Milonis factum defenditur. Loci eorum ſunt,
natura, lex, conſuetudo, aequum, & bonum, iudicatum, pactum.

Aſſumptivuſ ſtatus, eſt cum per ſe deſenſio infirma eſt, ſed aſſumpta
re extranea tractatur.

Loci eius ſunt, confeſſio, remoſio criminis, traſlatio criminis.

Confeſſio eſt, cum reuſ poſtulat fibi ignoſci, & habet partes,
purgationem & deprecationem.

Pvrgatio est, cum non consulto, sed per imprudentiam, per casum nos peccasse fatemur.

Deprecatio cum imploramus misericordiam, &c. Id autem sit commemoratione laudum iudicis.

Translatio criminis, cum culpam, & crimen fateinur, sed coactus indignitate peccasse. ut Orestes cum matrem occidit, ueniam meretur, coactus scelere matris.

Rémotio criminis, cum crimen in alios conferimus, quorum iussu fatemur peccatum esse.

Peroratione, enumeratione & affectu constat.

Legitima constitutio dicitur ubi definitione, contrariis legibus, ambiguis scriptis, ratiocinatione, aut translatione agitur.

Definitione certatur, ut si quis sustulerit e sacro pecuniam *prophani* nam, quæritur sacrilegium, an furtum sit admissum.

Quæstio finitionis tractatur dialecticorum locis, argumentis a genere, a differentia ductis.

Contrariarum legum constitutio est, ut contrariarum sententiarum in scripturis, ut filius non portabit iniquitatem patris, et vindicabo iniquitatem patrum in filios. Tractatur autem per circumstantias, altera uel prorsus refutata, uel expofita.

De Ambiguis scriptis dicitur ex scripto, & sententia controuersia nasci, ubi uidetur scriptoris uoluntas in scriptis diffentire. Ut si quis disputet cur Paulus præcipiat bona opera, cum tamen opera non iustificant.

Ex Ambigvo cum una sententia multifariam exponitur. In qua controuersia statuenda est, una aliqua certa sententia confirmanda circumstantiis & mente auctoris, ut si disputetur utrum cum Paulus doceat opera legis non iustificare, uelit hoc intelligi tantum de ceremoniis, an de omnibus legis operibus ceremonialibus & moralibus.

Ratiocinatione constat controuersia, quoties de casu aliquo disputatur, legibus non comprehenso, qui casus simili collato definiri potest.

Translatio plane id est, quod Iurisconsulti exceptionem uocant, ut cum agitur non licere huic accusare. Item non posse hanc cauſam agi coram hoc iudice.

NOTES.

For a comparison (bibliographical) of the two texts of Cox's *Rhetoric* see Introduction, *supra* p. 19. Further, it may be noted in support of the theory that B is the later and revised text that, of the changes noted in B, some one hundred and ten are corrections and improvements upon A, bringing the readings nearer to modern forms, while B gives a poorer reading or a more contracted form than A only some twelve or fifteen times. The punctuation in B is throughout better than in A.

On the date of the *Rhetoric* see Introduction, *supra* p. 10.

In the following notes, besides the explanation of the more difficult and unusual references in the text, attention has been called in nearly every instance to the passages which are translated by Cox from Melanchthon's *Institutiones Rhetoricae* (noted as "M. I"). A few passages translated from the same author's *de Rhetorica* are also cited. It will be seen that something over a third of Cox's text is directly translated from M. I; about a third more is either amplification of hints from M. or consists of direct translation from Cicero, from Melanchthon's *de Rhetorica*, or from other authors; while something less than a third seems to be of Cox's unaided composition. Cox, however, has treated his material very freely and seldom gives us literal translation. After Melanchthon, Cicero is his chief authority. To him he refers more than thirty times in the course of his short treatise. Among other authors mentioned are Aristotle, Demosthenes, Erasmus, Hermogenes, Hermolaus Barbarus, Horace, Livy, Ovid, Plato, Politian, Sallust, Thucydides, Trapezuntius, and Virgil.

Certain general peculiarities in Cox's English may here be noted once for all. These are:

Frequent double negatives, *e. g.*, 73.

The double comparative and superlative, *e. g.*, 59 ("most valiauntest"); 88 ("more gladder").

The form *nat* for *not*, *passim*.

The phrase *that that for that which*: *e. g.*, p. 44 line 28; 47:31; 68:19, etc.

The relatives *who*, *whom* used for both persons and things as in older English.

The word *other* in collective sense (= other people, other things): *e. g.*, 81:35; 88:18, etc.

Past participles in *-ect*, *-ate*, and *-en*, etc.: *e. g.*:

(1) Neglecte 71:18; suspecte 71:35; 72:21; 75:8. Cf. also 64:1; 67:18.

Cf. deducte 59:13; 76:14; accepte 42:2; instructe 42:6.

(2) Violate 64:17; abdicate 84:24; approbate 86:37, etc.

(3) Be for been: *e. g.*, 81:32 ("that have be forgiven"); cf. 42:26.

(4) "to be understande" 54:36.

(5) holpen 80:30; founden 74:36; bounden 41:7; understanden 85:12.
Umlaut in the comparative: *e. g.*, lenger 61:8; strenger 70:28.

An adjective taking a plural form in -s to agree with its noun, as in French: *e. g.*, 62:14 "oracyons demonstratives." Cf. 68:8; 68:12.

The lone for the one, 84:14. *The tother for the other* 56:12; 73:20; 74:36; 87:20.

In conjunctions: "nat all onely . . . but also," 55:3. So 63:13. "Eyther . . . eyther els" for either . . . or, 80:26.

Page 41, line 3. Hugh Faringdon was the last Abbot of Reading and a cleric of considerable prominence in his day. Warton (*Hist. Eng. Poetry*, London, 1871, Vol. IV, p. 10) and others testify to his learning. In 1530 he joined with others in a letter to the Pope "pointing out the evils likely to result from delaying the divorce desired by the king, and again in 1536 he signed the articles of faith . . . which virtually acknowledge the royal supremacy" (*Dict. Natl. Biog.*, XVIII, 206). In 1539, opposing the surrender of his abbey at the dissolution of the monasteries, he was accused of having assisted the northern rebels with money, attainted of high treason, and condemned to be hanged, drawn, and quartered, "which sentence was executed upon him at Reading, November 14, 1539" (Browne Willis, *Hist. of the Mitred Parliamentary Abbes*, London, 1718, Vol. I, p. 161).

42:6. So a little later Sir Thomas Eliot (*The Boke named the Gouvernour*, 1531, reprint ed. H. E. S. Croft, London, 1883, Bk. I, ch. xi) urges that at fourteen years the child should be grounded in the Topics of Cicero or of Agricola. "Immediately after that, the arte of Rhetorike wolde be semblably taught, either in greke, out of Hermogines, or of Quintilian in latine." Eliot also recommends Cicero's "De partitio oratoria" and Erasmus' "Copia."

42:19 f. The "werke of Rhethoryke wrytten in the lattyn tongue" is Melanchthon's *Institutiones Rhetoricae*, 1521. See Introduction, supra p. 30.

42:23. "The Phylosopher" referred to is probably Aristotle. See Aristotle's *Rhetoric*, ch. vii.

43:6. On Cox's other works "in this facultye." See Introduction, supra p. 21.

43:10 f. Cox here is following Melanchthon's divisions and order, but is freely amplifying his author. See the text of Melanchthon, supra p. 91. Such things as the anecdote about Demosthenes, for example, are not in his original.

43:12. "Of any maner thing," *i. e.*, of any kind of thing.

43:18. "He may as well tell," *i. e.*, he is as likely to tell.

43:27. "Sayde ons by demosthenes," *i. e.*, said concerning Demosthenes.

43 : 31 f. Translated directly from Melanchthon: "Difficilimum est invenire," etc. See, *supra* p. 91. Notice how Cox simplifies and rearranges his text, *e. g.*, in the handling of the instance of Clodius, cited by M. in the briefest possible terms, but by Cox laid open for young beginners.

44 : 3. On the "placys" (the "loci" of M., or "topica" of some other rhetoricians) see Wilson's *Arte of Rhetorique*, 1553, fol. 3 b, 62 b, and *passim*.

44 : 25. "An oracyon to the lande and prayse of the Kynges hyghnesse." Cox was sometime a courtier. See the account of his life in the Introduction, *supra*.

44 : 31. "The fyrste is called Logycall." Melanchthon's "dialecticum."

45 : 9-23 : is direct translation from M. I. So 45 : 26-31. What follows, however, is inserted by Cox.

45 : 24. "To whome our author leivith": de illis quidem dialectici viderint (M., *supra* p. 91).

45 : 37. See Aristotle's *Nicomachean Ethics*, Book V. Compare Chase's translation: "Justice [is] a moral disposition such that in consequence of it men have the capacity of doing what is just, and actually do it, and wish it."

46 : 6. Cf. Plato's *Meno* (Jowett's translation, last paragraph): "Socrates. Then, Meno, the conclusion is that virtue comes to the virtuous by the gift of God."

46 : 9. "Plato . . . in the begynning of his lawes." See Plato, *Laws*, Book I, Steph., 624 A.

46 : 12 f. What follows is apparently not a translation from Aristotle, but is Cox's interpretation of Aristotle.

47 : 9 f. "Our auctour also in a grete work," etc. See PHILIPPI MELANCHTHONIS DE RHETORICA *libri tres*. Coloniae, 1523. [Sig. B. 4 verso, et seq.]:

"I. Quid iustitia? uirtus qua cuique suum penditur.

"II. Quæ eius causa? uoluntas consentiens cum legibus moribusque.

"III. Quæ species? commutatiua & distributiua. Dupliciter enim cum ciuiibus communicamus, aut fortunis commutandis, aut humana ciuili-que consuetudine;

"IV. Commutatiua quid? iustitia contractuum.

"V. Distributiua quid? iustitia ciuiliis vite.

"VI. Distributiua quotuplex? publica alia, alia priuata. Publica, pietas est, imo est omnium uirtutum corona quædam, ciuilem hominum inter se consuetudinem, magistratum cum ciuibus, uicissim ciuium cum magistratibus, conseruans. Priuata, ciuium inter honesta & tranquilla consuetudo.

"VII. Officia, reddere ciui, magistratui, patriæ, liberis, coniugibus, amicis, quod debetur.

"VIII. Comparatio specierum. [This section Cox omits.]

"IX. Affinia, fortitudo, liberalitas, temperantia.

"X. Contraria, metus, auaritia, luxus &c."

Compare the "Example in commendacion of Justice" in Wilson, fol. 13b et seq., in illustration of the same point.

47 : 35—48 : 6. Added by Cox.

48 : 7—49 : 24. This entire passage is a direct but free translation from M. I.

49 : 25 f. Follows M. generally, but the illustrations are supplied by Cox. It will be noticed that Cox here as elsewhere freely omits whole sentences from his original.

50 : 1—28. Direct translation, with the addition of explanatory phrases.

50 : 16. "Benevolence is the place," etc. From Melanchthon, *de Rhetorica* (ed. of 1523, C viii a): "Benevolentiam captamus, aut à nostra persona, aut ab audientium persona, aut ab ipsa causa."

50 : 22. "Out of this place [of 'Benevolence'] is set the preamble of St. Gregory Nazarene, made to the prayse of St. Basyl." See *Opera Magni Basillii Romæ 1515*, fol. iii a: "Monodia Grægorii Nazianzeni in Magnum Basilium."

" . . . Ego uero si hac uti facultate ullo unquam tempore debeo: nesciam profecto ubi melius aut religiosius siue oportunius quam in huius laudibus uires meas omnis intendam. Quod officium tribus omnino de causis mibi adsumendum duxi. Primum, ut amicissimi ac mei amantissimi pietatis hoc munus, quando aliud nequeo, extreum impendam. Deinde ut omnibus bonis & illius uirtutem colentibus atque admirantibus rem gratissimam faciam. Postremo quod exitum qualemcumque sortiatur oratio, feliciter eueniet. Nam si prope ad eius meritorum narrationis me tam peruererit: id potissimum quod optamus adsequemur nostra dictio magnopere commendabitur. Si uero longe," etc. (as below).

There seems to be no passage corresponding to this in the original Greek text as printed in Migne, *Patrologia Cursus Completus*, Paris 1858, Vol. XXXVI pp. 493 f., nor in the Latin translation accompanying that edition. Perhaps Cox after all went no farther than Melanchthon.

51 : 3—52 : 2. Direct translation.

51 : 24. "And so taketh St. Nazarene benevolence" etc.

Op. cit., fol. iii a: " . . . Si uero longe infra spem remaneat huius maxime sancti commendationi adcedet: quod eius laus ac vita omni sit commendationi superior. Virtus namque encomii illa demum est: quemadmodum ea quæ laudantur omni sint oratione superiora ostendere."

52 : 3-11. Cox's addition. 52 : 12—53 : 7. Direct translation.

52 : 29. "Aristides . . . his oracion made to the prayse of Rome." See Aristides, Ρώμης ἐγκύρων, in *Aristides ex recensione Dindorfii*, vol. I, 321.

53 : 4. The opening sentence of Cicero's oration *pro lege Agraria* is not given in M. I.

53 : 8 f. Free translation or paraphrase, with many additions; the severe arraignment of the poets is chiefly Cox's, although suggested in M. I.

54 : 1. The *Moria Encomium* of Erasmus, 1512. The general tenor of the Epistle Dedicatory, which is addressed to Sir Thomas More, is to suggest a defense of the author's theme by "Insinuatio."

54 : 3 f. "Another example hath the same Erasmus in his seconde Boke of Copia." See "Desyderii Erasmi Roterodami de dupli Copia Verborum, ac Rerum Commentarij duo: . . . Argentorati . . . M.D.XXI." Liber Secundus, De partium rhetoriconum multiplicatione. Fol. LXXVII b.

"Vt si proposueris laudare Platonis dogma de uxoribus communibus, ut hoc exempli causa sumatur, dices non te fugere te rem omnium sententia absurdissimam polliceri. Verum illud orabis ut tantisper iudicium suum differant, donec argumentorum summam audierint, nihil diffidere te quin penitus exposita re sint in diuersam sententiam pedibus ituri. Tantum illud cogitent, hoc quicquid est, non esse temere dictum a tanto philosopho, quique caeteris in rebus ob excellentiam ingenij, diuini cognomen promeruerit." This reference to Erasmus is not in M.

54 : 3 f. Additions by Cox.

54 : 26—55 : 17. Direct translation, with free amplification and rearrangement.

55 : 18 f. Amplification of the topic by Cox, who supplies new illustrations and interpretation.

55 : 22. Horace, *Satira* IV:

"Insuevit pater optimus hoc me.

Ut fugerem, exemplis vitiorum quæque notando."

55 : 26. Terence, *Andria*, Act I, Sc. i, 55-59.

56 : 3 f. Sallust, *Catiline*, LIV.

57 : 1. "The oracion that Hermolaus Barbarus made to the Emperour Frederike and Maximilian his son." Printed with the works of Politian, viz.: *Omnium Angeli Politiani operum . . . Tomus prior . . . [etc.] . . . Parrhisiis . . . M.D.XII.* fols. XCIII a—XCVI a (five pages folio): "Oratio Hermolai Barbari Zacharia. F. Legati Veneti: ad Federicum imperatorem & Maximilianum Regem Romanorum principes inuictissimos."

57 : 5-24. Translation (indirect in part) from M. I.

57:27. "in an other greater worke he declareth it thus briefly :" i. e., Melanchthon's *de Rhetorica* (ed. 1523, Sig. D. 3. a): "Sunt et mortis præconia, ut eorum qui vitam pro patria perdiderunt." M. goes on to discuss this *locus* for several lines further.

57:31. "An epistle that Angele Policiane writeth in his fourth boke of epistles, to James Antiquarie, of [i. e., concerning] Laurence Medices . . ." May be found in "Illustrum Virorum Epistolæ ab Angelo Politiano partim scriptæ, partim collectæ," etc., 1526 (not the first edition), (Brit. Mus. copy, press mark 10905. g. 1.) Fol. XCa to XCVb [Sig. M ij recto]. Written in answer to inquiries made by "Jacobus Antiquarius" on hearing of the death of Lorenzo. Dated XV. Calend. Iunias. MCCCCXCII, In Fæsulano Rusculo. The following analysis of the letter precedes :

"Cur tardius responderit causa fuit dolor ex morte Laurentij. Hypochondriorum dolori febris accessit. De peccatis ad sacerdotem Laurentius confitetur. Sacrosanctum corpus Christi venerabundus suscipit. Filium Petrum hortatur consolaturque. Politianum alloquitur. Cum Pico (quem accersi iusserat) loquitur. Ferrarensi Hieronymo, qui salutis eum admonebat, respondet aduersus mortem interritum se esse. Extrema vunctione vngtus euangelia sibi Christique passionem recitari postulat. Exoscularis crucem naturæ satisfacit. Amplissima eius laus enumeratur. In tribus liberis eius Florentinorum spes consolationesque collocatae sunt, in Petro, Ioanne, Iuliano. Petrus pietate in ægrotum patrem, in ciues humanitate, utilitateque administrandæ reipu[blicæ] commendatur. Laurentij funus non admodum magnificum. Prodigia quædam enarrantur." See references to this letter in Symond's *Italian Renaissance*, I, 523n; II, 355, 533.

57:35—58:9. Direct translation.

58:10 f. This example of Camillus (as well as the next of "the laude of Saynt Peter") is suggested in M. I, but Cox expands the four lines of M. to some fifty, evidently having recourse directly to Livy for his materials.

59:5. See Livy, *History of Rome*, Book V, Ch. xlix.

59:23 f. "The author in his greater worke." The reference is again to Melanchthon's *De Rhetorica*. See ed. 1523, D iv a: "Carolum Cæsarem laudatur cum hoc agat ordine. Exemplum.

Natales ex Pipino patre, qui primus intulit nomen Christianissimi nomini Francorum, avo Martello principe bellica gloria cum nemine necque majorum, necque posteriorum conferendo.

¶ Educatio, puer sub Petro Pisano meruit literis latinis & græcis.

¶ Adolescentiam in armis egit Tyro sub patre fortissimo viro in Aquitanis, ubi & Sarracenicam linguam didicit.

¶ Juvenis regnum adeptus Aquitaniam, Italiam, Sueviam, Saxonas pac-

vit, atque haec quidem bella ea felicitate gesta sunt, ut magis vicerit autoritate, & prudentia, quam sanguine civium. Ad haec accedunt pleraque pietatis exempla, potissimum *quod* scholam Parisiorum dicavit. Hic digredi licet quam honeste sint principibus viris literae atque ea maxime quae ad pietatem pertinent. Et hic fiat comparatio civilium & bellicarum virtutum, sane tale *esse* historie filum ut longe civilibus prestitisse videant. Nihil non prius pace habuit. Clementia tali, ut noxiis etiam, si que liceret parceret; pietatis adeo amans, ut assiduo usus sit Alcuino Anglorum de divinis differente. In plerisque constantini Cæsaris similimus, cuius comparatione nonnihil crescat Carolus.

Senectus pacata, hoc uno infortunata *quod* non conveniebat prorsum inter filios.

Mors, consecutanea mortis ampla reliquit unum ex se filium, optimum principem Ludovicum pium; inter haec saepe excursionibus de horum temporum moribus declamare licet."

The reference to the "sayengs of the gospel" which follows in Cox does not appear in Melanchthon.

60:29 f. Follows M. I. Cox as usual however has taken the illustrations suggested by M. and explained them at length in all their circumstances. The account of Scevola is condensed from Livy, Book II, Ch. xii.

62:16—63:11. Translation from M. I. See *supra* pp. 95—96.

63:11—18. Amplification and paraphrase of M.

63:19—21, 24—27. Translation from M. I.

63:23. The reference to Erasmus is Cox's own. See "Libellus de Conscribendis epistolis, Autore D. Erasmo. . . . Apud præclaram Cantabrigiensem Academiam. Anno. M.D.XXI." ["The second book printed at Cambridge"], fol. XIb—XLIIIA, "DE EPISTOLA SUASORIA." In which some of the topics treated are [I quote from the marginal analysis]: Quibus partibus constet suasoria epistola. Narratio. Diuisio. Confutatio. . . . Definitiones singulorum. Honestum. Rectum. Virtus. Officium. . . . Laudabile. Vtile. . . . De simplici conclusione. Persona. Nomen. Natura. . . . etc., etc.

64:9—65:28. Translation from M. I.

64:25—27. This copybook moral is added by Cox.

65:2. "As Erasmus dothe in his epistle prefixed afore his oracyon made to the prayse of folysshnes." See "Moriæ Encomivm Erasmi Roterodami Declamatio. . . . Anuerpienæ M.D.XII," and innumerable other editions. The epistle is addressed to Thomas More. Its length is three quarto (= octavo size) pages.

65:10. "Polycyans oracyons made to the laude of hystoryes" are also cited several times in M's. *de Rhetorica* (e.g. ed. 1523 D vi, a and b).

65:29 f. Not in M. Drawn by Cox probably from Erasmus. The laude of matrimony was a subject which Erasmus treated on several occasions (e.g. in his *Praise of Folly*, *Colloquies*, etc.). See the translation in Wilson's *Arte of Rhetorique*, 1553 (fol. 21 b. et seq.), of "An Epistle to perswade a young ientleman to Mariage, deuised by Erasmus in the behalfe of his frende."

66:5. See Erasmus, "Declamationes duæ. Altera exhortatoria de Matrimonio; altera Artis Medicæ Laudes Complectens." Cologne 1518.

66:3—67:23. Translation from M. I. See supra pp. 97-98.

66:24. See Sallust, *Catiline* Ch. li. M. only paraphrases Sallust's text and does not quote it directly. Cox goes to the original and translates an additional sentence, i. e. "Haud facile animus verum providet, ubi illa officiunt."

66:32. Livy, Book V, Ch. xliv.

67:14. Cicero, *pro lege Manilia*.

67:22. "The oracyon that Porcyus Cato made agaynst the sumptuousnes of the women of Rome." In Livy, *History of Rome*, Bk. XXXIV, Ch. ii. What follows is translated by Cox out of Livy.

67:34—68:13. Translation from M. I. See supra p. 98.

67:36. "As Livius . . . begynneth his oracyon," i. e., the speech attributed to the consul Posthumius by Livy, Book XXXIX, Ch. xv.

68:13. Cox introduces here a very significant variation from his original. Instead of Cox's remark in regard to the need of unity in the church, Melanchthon's illustration runs: "ut vindicare Germaniam à pontificia tyrannide, et plium et necessarium est hoc tempore." Cox is writing in the days of Henry VIII before the actual separation from Rome and before he had become one of Edward VI's preachers of the reformed faith. The party of the humanists, More, Erasmus, and their followers, while standing for reform, stood also for unity in the church.

68:17-20, 25-28. Translations from M. I. See supra p. 98. The quotations from Cicero and Livy are not given at length in M.

68:21. See Cicero, *pro lege Manilia* ii; "Bellum grave et periculoso vestris vectigalibus atque sociis a duobus potentissimis régibus infertur, Mithridate et Tigrane."

68:26—69:23. See Livy, Bk. XXX, Ch. xxx.

69:27-32. See Livy, loc. cit.

69:24-26, 33-35. Translation from M. I.

69:35—70:8. Explanatory matter added by Cox.

70:6. "The greke proverbe:"

δύσκολα τὰ καλά

Beautiful things are difficult.

70:9-21, 25-28. Translation with amplification from M. I.

71:6-7, 10-16, 22-33. Translation from M. I. See supra p. 99.

71:10 f. Note the significant omissions from the original of Melanchthon. (See supra p. 99). Allusions of a theological or Protestant bearing are carefully excluded by Cox. Later in life we find Cox writing or translating entire treatises on such subjects.

71:30 f. On these three "States" see Wilson, *Arte of Rhetorique* 1553, fol. 49 f.

72:3 f. This "example" is merely hinted at in M. I. Cox brings the story-at-length perhaps out of Melanchthon's *de Rhetorica*, or from Trapezuntius (ed. 1522, fol. 20 b); both under the same topic of State. Conjectural give the Ulysses-Ajax example.

72:24-34. Translation from M. I. See supra p. 100.

73:1 f. See Cicero, *pro Milone* x.

73:1-75:4. Not found in M. I.

74:13 f. See Cicero, *pro lege Manilia* ii: "Primum mihi videtur de generis belli; deinde de magnitudine; tum de imperatore diligendo esse dicendum."

74:23 f. Op. cit. x.

75:5-13. Translation from M. I. See supra p. 100.

75:18 f. See Cicero, *pro L. Flacco*, IV.

75:33 f. The citation of traits of national character was a stock illustration in the old Rhetorics. E.g. Wilson's *Arte of Rhetorique* fol. 95 a. See also Erasmus, *Praise of Folly*, 91.

76:7 f. In Ovid, *Epistola Heroidum* II.

76:17. See Terence, *Andria*, Act I, Sc. i, 52-54.

76:21. Ovid, op. cit., xiv.

77:2 f. See Cicero, *in L. Pisonem* I.

77:31-34, 78:17-26. Here Cox takes up again the thread of his original, dropped since p. 58. See supra pp. 100-101. As usual, much is added not to be found in M. I.

77:35. Terence, *Andria*, Act I, Sc. i, at end.

78:4. Ovid, op. cit., V.

78:31-79:9, 79:18-32, 80:4-17, 29-37, 81:5-6. Free translation from M. I. See supra p. 101.

81:1. See Sallust, *Catilina*, LII.

81:8-82:4. See Cicero, *de Inventione*, Bk. II, Ch. xxxv. A direct translation.

82:18 f. After M. I. Cox has as usual expanded M.'s illustration (of Orestes).

82:31-83:1. Translation from M. I.

83:4. Here again Cox abandons M., who is treading on the dangerous ground of religious illustration. He now turns to Cicero, whom he fol-

lows intermittently through the rest of this work. See Cicero, *de Inventione*, Bk. II, Ch. xl. The illustration that follows is translated from Ch. li of the same work.

84:14 f. The two illustrations which follow seem to be furnished by Cox independently.

85:27 f. A similar illustration with somewhat different terms is recited by Cicero, Ch. xl.

86:30-32. Translation from M. I. See supra p. 102. The illustration which follows is drawn from Cicero, Ch. 1.

87:19-21. Translation from M. I. See supra p. 102.

87:18. "He shulde nat have suffred of convenient," i. e., properly, justly.

87:34. Cox probably means only that his work, like the *de Inventione* of Cicero, covers only the one division of Rhetoric concerned with invention, although he may also intend here to record his obligations in the last part of his own work to Cicero's work.

88:2. Similarly Melanchthon (*de Rhetorica*, C viii a) refers readers who may desire a more extended treatment of the subject to Trapezuntius. Trapezuntius presents little more than a paraphrase of Hermogenes. The latter was a Greek rhetorician of the time of Marcus Aurelius who wrote five works covering the field of rhetoric. On the Rhetoric of Trapezuntius cf. Voigt, *Wiederbelebung des classischen Alterthums* (Berlin, 1893) Vol. II, 443.

88:5. Horace, *Arts Poetica*, 335-6.

88:9. Justinian, *Institutiones*, Liber Primus, I De iustitia et iure: "si statim ab initio rudem adhuc et infirmum animum studiosi multitudine ac varietate rerum oneravimus, duorum alterum aut desertorem studiorem efficiemus aut cum magno labore eius, saepe etiam cum diffidentia" etc.

88:19. Cox probably refers to Aristotle's *Metaphysics*, 993 B 13-15: "It is just to be grateful, not only to those whose opinions we share, but also to more superficial thinkers, for these too have contributed something. For they have helped our development." And see what follows.

—In B the colophon reads as follows:

"Imprinted at London in Fletestrete by saynt Dunstones chyrche / at the sygne of the George / by me Robert Redman. The yere of our lorde god a thousande/fyue hundred and two and thyrt. Cum priuilegio."

Beneath there is a woodcut of architectural scrolls. F viii recto is blank. F viii verso contains a woodcut representing two nude figures holding a shield on which appears the monogram of Robert Redman, with his name below. The shield is surmounted by a helmet with scrolls.

GLOSSARIAL INDEX.

Including the chief technical terms of rhetoric used, and the names of the chief writers and others cited by Cox.

The several references to the use of similar technical terms of rhetoric in "Wilson" that follow are to Sir Thos. Wilson's *Arte of Rhetorique*, 1553.

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